

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.4358 of 2018

Arising Out of PS. Case No.-467 Year-2018 Thana- SIWAN MUFFASIL District- Siwan

1. Chand Tara Khatoon, Wife of Late Manir Sai @ Md. Manir Shah.
2. Rozy Khatoon, Daughter of Late Manir Sai @ Md. Manir Shah.
3. Gulbasa Khatoon @ Gulabsa Khatoon, Daughter of Late Manir Sai @ Md. Manir Shah.

All are resident of Village- Chanaur Takia, Police Station- Siwan Muffasil,
District- Siwan.

... .. Appellant/s

Versus

The State of Bihar.

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Javed Aslam
For the Respondent/s : Mr.Sri Sadanand Paswan

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 03-01-2019 This is an appeal under Section 14(2) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 against the refusal of prayer of anticipatory bail dated 26.09.2018 passed by the learned 1st Additional Sessions Judge, Siwan in connection with Siwan Muffasil (Dhanauti O.P) P. S. Case No. 467 of 2018 registered under Sections 366A and 504/34 of the Indian penal Code and Section 3(i)(r)(s)/3(2)v(a) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 .

Allegation as per the FIR is that son of the appellant no.1



has eloped with the minor daughter of the informant.

Submission of learned counsel for the appellants is that as per statement of victim girl recorded under Section 164 Cr.P.C. in which she has admitted that she had married with the son of the appellant no. 1 and further Annexure-3, which is medical report, shows that she is aged about 18-19 years.

Heard learned Spl. P.P also.

Having heard both sides and in view of the facts and circumstances, as stated above, let the appellants, abovenamed, in the event of arrest or surrender before the court below within a period of six weeks from the date of receipt/production of a copy of this order, be released on bail upon furnishing bail bond of Rs. 25,000/- (Rupees twenty five thousand) each with two sureties of the like amount each to the satisfaction of the learned 1st Additional Sessions Judge-cum-Special Judge, Siwan in connection with Siwan Muffasil (Dhanauti OP) P. S. Case No. 467 of 2018; subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure with further condition that appellants shall co-operate in the investigation and make themselves available as and when required by the police and on the event of failure on their part to appear before the police on two consecutive dates without showing any genuine reasons, the



prosecution is free to move for cancellation of their bail bonds.

Accordingly, the appeal is allowed and the impugned order is set aside.

(Vinod Kumar Sinha, J)

sujit/-

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