

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.5417 of 2019

Arising Out of PS. Case No.-46 Year-2019 Thana- TARIYANI CHOWK District- Sheohar

RAJU KUMAR Son of Madan Sah Resident of Village- Kushahar (Kaswa
Tola, Ward No. 9), P.S.- Tariyani, District- Sheohar.

... .. Appellant/s

Versus

The State of Bihar Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Arun Kumar

For the Respondent/s : Mr.Sadanand Paswan

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 09-12-2019 Heard learned counsel for the appellant and learned
Special Public Prosecutor for the State.

The instant appeal for anticipatory bail has been filed by the appellant apprehending his arrest in connection with Tariyani P.S. Case No. 46 of 2019, registered for the offence punishable under sections 323, 363, 366A, 504, 506 and 34 of the Indian Penal Code and section 3(r)(s) of the SC/ST (Prevention of Atrocities) Act.

As per allegation made in the F.I.R., the appellant is stated to have taken away the daughter of the informant forcibly on gun point. Thereafter, it is stated that when the father of the appellant called the informant's family for settlement at his house, they were abused by the accused persons including the appellant in the name of his caste.



It is submitted by the learned counsel for the appellant that daughter of the informant returned and her statement was recorded under section 164 Cr.P.C., a copy of which has been brought on record as Annexure-2 to the application wherein she has categorically stated that she had gone with the appellant willingly and was staying with the appellant like a married couple. No force had been applied on her. It is further stated that other co-accused persons have been enlarged on bail vide order dated 11.07.2019 passed in Cr. Appeal (SJ) no. 2176 of 2019, Annexure-3 to the application.

Having heard learned counsel for the parties and taking into consideration the contents of the statement of the daughter of the informant under section 164 Cr.P.C. as also grant of anticipatory bail to other co-accused, the appellant is directed to surrender in the court below within a period of six weeks from today and in the event of his arrest or surrender, he shall be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional District and Sessions Judge 1st -cum-Special Judge SC/ST Act, Sheohar in connection with Tariyani P.S. Case No. 46 of 2019, subject to the condition as laid down under section 438(2) of the Cr.P.C.



The appeal stands allowed.

(Partha Sarthy, J)

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