

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.914 of 2020

Arising Out of PS. Case No.-74 Year-2018 Thana- MAINATAND District- West Champaran

1. RANJEET SAH @ RANJEET KUMAR Son of Hari Sah Resident of Village - Rampurwa, Chapariya Tola, P.S. - Mainatand, District - West Champaran.
2. Geeta Devi Wife of Hari Sah Resident of Village - Rampurwa, Chapariya Tola, P.S. - Mainatand, District - West Champaran.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr.Bimlesh Kumar Pandey
For the Respondent/s	:	Mr.Binay Krishna

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 29-06-2020 The present appeal has been taken up for consideration through the mode of Video conferencing in view of the prevailing situation on account of COVID 19 Pandemic, requiring social distancing.

Heard the learned counsel for the appellants and the learned Special PP for the State.

The present appeal is directed against the order dated 23.1.2020 passed by the learned court of Additional Sessions Judge 1st cum Special Judge, West Champaran at Bettiah in A.B.P. No. 3130 of 2019 whereby and whereunder the prayer for



grant of anticipatory bail made by the appellants herein in connection with Mainatand P.S. Case No. 74 of 2018 under Sections 363, 366A, 323, 504, 379 of the Indian Penal Code and Sections 3(i)(r) (w) of the SC/ST (Prevention of Atrocities) Act has been rejected.

At the outset, the learned counsel for the appellants has submitted that the appellant no. 2 has been arrested, hence, the present appeal is not being pressed qua the appellant no. 2.

Accordingly, the present appeal qua the appellant no. 2 stands dismissed as not pressed.

The case of the prosecution is that in the night of 1.6.2018 at about 10:00 PM., the appellant no. 1, who is the neighbour of the informant, had kidnapped the daughter of the informant with the motive of marrying her.

The learned counsel for the appellant has referred to the statement of the victim girl recorded under Section 164 Cr.P.C. before the learned Magistrate to submit that the victim girl herself had forced the appellant no. 1 to marry her,



whereafter the victim girl had solemnized marriage with the appellant no. 1 in the temple.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the appellant no. 1 and taking into account the statement made by the victim girl under Section 164 Cr.P.C. before the learned Magistrate, wherein she has confessed to have voluntarily married the appellant no. 1 and has also expressed her desire to stay with him, I deem it fit and proper to admit the appellant no. 1 to the privilege of anticipatory bail.

Accordingly, the appellant no. 1 is directed to be enlarged on anticipatory bail, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge 1st cum Special Judge, West Champaran at Bettiah in connection with A.B.P. No.



3130 of 2019, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

The order dated 23.1.2020 passed by the learned court of Additional Sessions Judge 1st cum Special Judge, West Champaran at Bettiah in A.B.P. No. 3130 of 2019 is set aside.

The appeal stands allowed.

(Mohit Kumar Shah, J)

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