

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.4429 of 2019

Arising Out of PS. Case No.-197 Year-2019 Thana- LALIT NARAYAN UNIVERSITY
District- Darbhanga

SONU KUMAR YADAV, Son of Makku Yadav @ Shyam Yadav, Resident of
Village/Mohalla - Chaknizamganj, Ward No. 6, P.S. - L.N.M.U, Darbhanga,
Distt. - Darbhanga.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Ashok Kumar Prasad, Advocate
For the Respondent/s : Mr. Usha Kumari 1, Spl. P.P.

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL JUDGMENT

Date : 17-02-2020

Heard learned counsel for the parties.

This is an appeal under Section 14-A(2) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 (hereinafter referred to as the “SC/ST Act”) against the refusal of prayer for anticipatory bail vide order dated 02.08.2019 in A.B.P. No. 1161 of 2019 passed by the learned 1st Additional Sessions Judge-cum-Special Judge S.C./S.T. (POA) Act, Darbhanga in connection with L.N.M.U. Darbhanga P.S. Case No. 197 of 2019 registered under Sections 363, 366(A)/34 of the Indian Penal Code as well as Sections 3(1)(r)(s) of the SC/ST Act.

Allegation against the appellant is of kidnapping of the minor granddaughter of the informant. The victim has not supported the allegation of kidnapping against the appellant in her statement under



Section 164 Cr.P.C. Though the victim was a minor, however, was competent enough to say that no offence was committed against her.

Considering the statement of the victim-girl, let the appellant, above named, in the event of his arrest or surrender before the learned Court below within a period of thirty days from the date of receipt of the order, be released on anticipatory bail on furnishing bail bond of Rs.20,000/- (rupees twenty thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending in connection with the aforesaid case, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure as well as subject to the following conditions:-

(a) The appellant shall fully cooperate with the investigation/trial of the case, failing which the learned court below shall be at liberty to cancel the bail bond of the appellant.

(b) Both the bailors shall be resident of the territorial jurisdiction of the learned court below.

(c) The appellant shall not leave the country without permission of the learned trial court.

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

(Birendra Kumar, J)

Kundan/-

AFR/NAFR	N.A.
CAV DATE	N.A.
Uploading Date	18.02.2020
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