

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.5592 of 2019

Arising Out of PS. Case No.-12 Year-2019 Thana- MAHILA P.S. District- Kaimur (Bhabua)

PREM CHANDRA SINGH @ PREMCHAND SINGH Son of Gajadhar
Singh Resident of Village - Pachaura, P.S.- Chenari, District - Rohtas at
Sasaram.

... .. Appellant/s

Versus

THE STATE OF BIHAR

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Tribhuwan Narayan
For the Respondent/s : Mr.Sadanand Paswan

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

3 26-02-2020 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 07.11.2019 in A.B.P. No. 1075 of 2019 passed by the learned 1st Additional Sessions Judge, Kaimur at Bhabua in connection with Mahila (Bhabua) P.S. Case No. 12 of 2019 registered under Sections 366(A), 376, 307, 504, 506 of the Indian Penal Code, Sections 4 and 8 of the Protection of Children from Sexual Offenses Act, 2012 as well as Sections 3(x)(xi)(xii) of the SC/ST Act.

The complaint based FIR would reveal that allegation is against co-accused Manish Kumar to have kidnapped to the



minor daughter of the informant with intent to marry with her.

Submission is that the victim-girl in her statement under Section 164 Cr.P.C. stated that she had love-affairs with Manish Kumar and she had voluntarily left her house to go along with Manish Kumar.

Considering the fact that victim has not alleged anything against the appellant, 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)

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