

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.5627 of 2019**

Arising Out of PS. Case No.-166 Year-2017 Thana- SHIVSAGAR District- Rohtas

1. SUDAMA YADAV Son of Late Naga Yadav Resident of Village - Chिताुलि, P.S.- Shivsagar, District - Rohtas.
2. Saraswati Devi Wife of Sudama Yadav Resident of Village - Chिताुलि, P.S.- Shivsagar, District - Rohtas.
3. Kanti Devi Wife of Dadan Yadav Resident of Village - Baijla, P.S.- Sasaram, District - Rohtas.

... .. Appellant/s

Versus

THE STATE OF BIHAR

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Sada Nand Roy
For the Respondent/s : Mr.Binay Krishna

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

2 06-01-2020 Heard learned counsel for the appellants and
learned Spl. PP for the State.

This is an appeal under Section 14(A)(2) of the SC/ST Act against the refusal of prayer for anticipatory bail vide order dated 02.12.2019 passed by learned 1st Addl. Sessions Judge-cum- Special Judge, SC/ST Act, Rohtas at Sasaram in connection with Shivsagar P.S. Case No. 166 of 2017, registered under Sections 366(A) and 120(B)/34 of the Indian Penal Code and Section 3(i)(r)(s) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.

Accusation is that in the morning of 15.06.2017, the daughter of informant, aged about 15 years had gone to take tuition, but she did not return. In course of search, informant Barfi Kuer came to know that Raja Singh @ Musti, resident of



village-Chitauli, P.S.- Muffasil, Sasaram Rohtas kidnapped his daughter with the help of his parents and other family members.

Learned counsel appearing on behalf of appellants submits that appellants, being the father, mother and sister of co-accused Raja Singh, who is said to be kidnapped the daughter of informant, have falsely been implicated in this case. The appellants have no criminal antecedent.

Having regard to the facts and circumstances of the case, let the above named appellants, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of the learned 1st Addl. Sessions Judge-cum-Special Judge, SC/ST Act, Rohtas at Sasaram in connection with Shivsagar P.S. Case No. 166 of 2017, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

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

(Rajendra Kumar Mishra, J)

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