

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.2005 of 2020

Arising Out of PS. Case No.-182 Year-2020 Thana- MAHESI District- East Champaran

CHUNNU BABU Son of Diplal Rai Resident of Village - Damodarpur, P.S. -
Mehsi, District - East Champaran.

... .. Appellant/s

Versus

THE STATE OF BIHAR

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr.Umesh Chandra Verma
	:	Mr.Abhishek Kumar
	:	Ms.Rashmi Jha
	:	Mr.Sharad Kumar Verma
For the Respondent/s	:	Mr.Sadanand Paswan

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 20-01-2021 Heard learned counsel for the parties.

This appeal under Section 14A(2) of the Schedule Castes and Schedule Tribes (Prevention of Atrocities) Act has been preferred against the order dated 07.09.2020, passed by learned 1st Additional Sessions Judge cum Special Judge, SC/ST (POA) Act, East Champaran at Motihari in Mehsi P.S. Case No. 182 of 2020, whereby the appellant's prayer for regular bail has been rejected.

There is allegation in the F.I.R. of kidnapping of the informant's daughter, for the purpose of marriage, who was found missing.

Learned counsel appearing on behalf of the appellant



has drawn my attention to the statement of the alleged victim recorded under Section 164 of the Cr.P.C. to contend that the victim had gone with the appellant out of her own volition.

On perusal of the statement of the victim recorded under Section 164 of the Cr.P.C., in my opinion, a case for grant of regular bail is made out. The Court below ought to have allowed the appellant privilege of regular bail in view of the statement of the victim recorded under Section 164 of the Cr.P.C. to the aforesaid effect. This appeal is, accordingly, allowed.

The impugned order dated 07.09.2020 is set aside.

Let the appellant, above named, be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand), with two sureties of the like amount, each to the satisfaction of learned Additional Sessions Judge cum Special Judge, SC/St (POA) Act, East Champaran, Motihari, in Mehsi P.S. Case No. 182 of 2020.

(Chakradhari Sharan Singh, J)

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