

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.3713 of 2018

Arising Out of PS. Case No.-79 Year-2018 Thana- MAHILA P.S. District- Patna

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Aniket Kumar, S/o Ranjeet Singh, R/o Vill.- Kalyanpur, P.S.- Paliganj,
District- Patna.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

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Appearance :

For the Appellant/s : Mr. Ashok Kumar Sinha
For the Respondent/s : Mr. Binay Krishna

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL JUDGMENT

Date : 11-12-2018

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 31.08.2018 passed by the learned Additional Sessions Judge-4th-cum-Special Judge (SC/ST Act), Patna in A.B.P. No.6126 of 2018, arising out of Patna Mahila Police Station Case No.79 of 2018 registered under Sections 354D, 376, 509/34, 313 of the Indian Penal Code and Sections 3 (1)(R), 3(1)(W), 3(2)(va) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.

The same informant had lodged Patepur Police Station Case No.109 of 2018 on 25.06.2018 against one *Manish Kumar*



alleging therein that *Manish* was in physical relation with her by inducing her that *Manish* would marry with the informant. Some photographs of the two were uploaded on the social media by *Manish*, which resulted in lodging of the case. Within a month of that F.I.R., the present F.I.R. was lodged on 16.07.2018 with identical allegation that the appellant was in physical relation with the informant on the pretext of marriage. She was pregnant from the appellant and appellant refused to marry with her.

Submission is that when appellant came to know about the relation of the informant with *Manish*, he refused to marry with her. Appellant has got no criminal antecedent. No other motive is there.

Considering the entire facts aforesaid, let the appellant, above named, in the event of his arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released on 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 conditions as laid down under Section 438(2) of the Code of Criminal Procedure as well as condition that the



appellant shall fully co-operate with the investigation/trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the appellant.

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

(Birendra Kumar, J)

abhishek/-

AFR/NAFR	NAFR
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