

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Appeal (SJ) No.1560 of 2018

Arising Out of PS.Case No. -41 Year- 2018 Thana -CHIRAIYA District- EASTCHAMPARAN
(MOTIHARI)

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1. Kaushal Kishore Singh, son of Sambhu Sharan Singh, resident of Village -
Semra, P.S. - Chiraiya, District - East Champaran.

.... Appellant/s

Versus

1. The State of Bihar.

.... Respondent/s

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Appearance :

For the Appellant/s : Mr.

For the Respondent/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR

ORAL JUDGMENT

Date: 13-07-2018

Heard learned counsel for the parties.

This is an appeal under Section 14A(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 regular bail by order dated 12.04.2018 in Chiraiya P.S. Case No. 41 of 2018 passed by the learned 1st Additional Sessions Judge-cum-Special Judge (S.C./S.T. Act), East Champaran at Motihari in connection with Chiraiya P.S. Case No. 41 of 2018 registered under Section 493, 344 of the Indian Penal Code as well as Section 3(2)(v) of the SC/ST Act.

According to FIR, the appellant had entered into inter-caste marriage with the informant. After birth of a daughter, the appellant, allegedly, left the informant and informant came to know



that the appellant is already a married person.

Submission is that the appellant is in custody since 09.02.2018.

The case diary would reveal that the appellant is not a married person. The matter appears to be purely a matrimonial dispute.

Considering the entire facts of this case and period already undergone by the appellant, let the appellant, above named, 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 learned Court below where the case is pending in connection with the aforesaid case, subject to the condition that the appellant shall fully cooperate 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)

Kundan/-

AFR/NAFR	N.A.
CAV DATE	N.A.
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