

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Appeal (SJ) No.3848 of 2018

Arising Out of PS.Case No. -112 Year- 2017 Thana -MAHILA P.S. District- MADHEPURA

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1. Kundan Kumar Son of Chhotku Yadav @ Ram Prasad Yadav, Resident of
Village- Singion, P.S. Gamhariya, District- Madhepura.

.... Appellant/s

Versus

1. The State of Bihar

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Dr.Sanjay Kumar Singh, Adv

For the Respondent/s : Mr. Sadanand Paswan, SPP

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR

ORAL JUDGMENT

Date: 06-11-2018

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 against the refusal of prayer for bail by order dated 24.08.2018 in SC/ST Case No.500 of 2017 passed by the learned Special Judge (S.C./S.T. Act), Madhepura, in connection with Madhepura Mahila Police Station Case No.112 of 2017 registered under Sections 376,313,341,323,354,34 of the Indian Penal Code, Section 3/4 D.P. Act and Section 3(1)(xi)3(1)(xii) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

Considering the nature of allegation in the FIR that initially parties were in physical relation due to their love affairs and subsequently married with each other and later on there is allegation of demand of dowry and torture for the same,



let the appellant, above named, be released on **provisional bail** on furnishing bail bond of Rs.20,000/- (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, with condition that both bailors shall be resident of territorial jurisdiction of the learned court below and further 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.

The learned court below shall take appropriate step for reconciliation between the parties, as the appellant is still ready to restore the matrimonial life with the informant. If the appellant would be found cooperative in reconciliation proceeding, the provisional bail granted by this Court shall be deemed to be affirmed, failing which the learned court below may pass any other appropriate order against the appellant.

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

(Birendra Kumar, J)

Nitesh/-

AFR/NAFR	NAFR
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