

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Appeal (SJ) No.4491 of 2018

Arising Out of PS. Case No.-410 Year-2016 Thana- PHULWARISHARIF District- Patna

Pramod Kumar Son of Late Kameshwar Prasad Resident of Village - Nagwan
Derapar, P.S. Jaanipur, Distt. - Patna

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Harendra Kumar

For the Respondent/s : Mr. Sadanand Paswan

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR

ORAL JUDGMENT

Date : 14-12-2018

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 regular bail vide order dated 09.10.2018 in Special Case No. 114(B) of 2017 passed by the learned 4th Additional Sessions Judge-cum-Special Judge S.C./S.T. (POA) Act, Patna in connection with Phulwari Sharif (Jaanipur) P.S. Case No. 410 of 2016 registered under Sections 494, 498A, 341, 323, 306 of the Indian Penal Code as well as Section 3(1)(x) of the SC/ST Act.

The daughter of the informant was married with co-accused Amit Kumar. Later on, Amit Kumar, allegedly, married with some other lady and under frustration, the daughter



of the informant committed suicide.

The brother of the husband has already been allowed anticipatory bail by a Coordinate Bench of this Court vide order dated 01.08.2017 passed in Cr. Appeal (SJ) No. 2048 of 2017 (Annexure-3) and husband of the victim, who faced trial, has been acquitted due to lack of evidence.

Considering the aforesaid fact, 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 as well as condition that both the bailors shall be resident of the territorial jurisdiction of the learned court below.

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

(Birendra Kumar, J)

Kundan/-

AFR/NAFR	N.A.
CAV DATE	N.A.
Uploading Date	15.12.2018
Transmission Date	15.12.2018

