

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.4857 of 2018

Arising Out of PS. Case No.-23 Year-2018 Thana- SC/ST District- Katihar

Baleshwar Singh @ Baleshwar Prasad Singh, Son of Late Moghri Singh
Resident of Village - Langra Bagan, P.S.- Sahayak, District - Katihar

... .. Appellant/s

Versus

The State Of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Shashi Shekhar

For the Respondent/s : Smt Usha Kumari No-1

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL JUDGMENT

Date : 05-02-2019

This is an appeal under Section 14A(2) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 against the refusal of prayer of anticipatory bail dated 03.11.2018 passed by the learned 1st Addl. District and Sessions Judge-cum-Special Judge, Katihar in ABP No. 90 of 2018 arising out of SC/ST P.S.Case No. 23 of 2018 registered under Sections 313, 323, 354, 379, 498A and 504 of the Indian Penal Code, 3 and 4 of the Dowry Prohibition Act and Sections 3(i) (s)/3(w)(i) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

Allegation against the appellant is that husband of the complainant sent this appellant to outrage the modesty of the complainant.

Submission of learned counsel for the appellant is that



whole allegation is false and concocted and he is not the husband of the lady.

Heard learned Spl. P.P also.

Having heard both sides and in view of the facts and circumstances, as stated above, let the appellants, in the event of arrest or surrender before the court below within a period of six weeks from the date of receipt/production of a copy of this order, be released on bail upon furnishing bail bond of Rs. 25,000/- (Rupees twenty five thousand) each with two sureties of the like amount each to the satisfaction of the learned 1st Addl. District and Sessions Judge-cum-Special Judge, Katihar in ABP No. 90 of 2018 arising out of SC/ST P.S.Case No. 23 of 2018; subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

Accordingly, the appeal is allowed and the impugned order is set aside with respect to him.

(Vinod Kumar Sinha, J)

sujit/-

AFR/NAFR	
CAV DATE	
Uploading Date	
Transmission Date	

