

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.156 of 2019

Arising Out of PS. Case No.-9 Year-2017 Thana- SC/ST District- Patna

Suraj Kumar @ Suraj Kumar Soni, Son of Suresh Prasad, Resident of
Hakikatpur, P.S. Bakhtiyarpur, Dist.-Patna

... .. Appellant/s

Versus

The State of Bihar Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Surendra Kumar Mishra
For the Respondent/s : Smt Usha Kumari No

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL JUDGMENT

Date : 01-02-2019

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 29.10.2018 passed by the learned Addl. District and Sessions Judge-IV cum-Special Judge, SC/ST Act, Patna in ABP No. 7779 of 2018 arising out of Patna SC/ST P.S.Case No. 09 of 2017 registered under Sections 307, 323, 341, 342, 376, 379, 384, 504 and 506 of the Indian penal Code and Sections 3(i)(r)(s)/3(2)(va) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

Allegation against the appellant is that he married with the complainant and two children borne but thereafter started harassing and abusing her. Further allegation is that appellant has illicit relationship with other and once they have tried to kill her.



Further allegation is that earlier also, she has lodged a case in Bakhtiyarpur police station and thereafter the appellant brought her in his house and compromise the case but again tried to kill her and further allegation is that on 27.04.2017, appellant along with his friends came to her aunt's house where he asked his friends to commit rape, they raped her and also tore her blouse and tried to kill her. It further appears that a large number of cases are going on between the parties.

Submission of learned counsel for the appellants is that whole allegation is false and concocted and she is in habit of lodging of such type of cases.

Heard learned Spl. P.P also who has opposed the prayer of bail stating that allegations are serious against the appellant and he has criminal antecedents.

Having heard both sides and in view of the facts and circumstances, as stated above, I am not inclined to grant privilege of anticipatory bail. However, let appellant surrender and pray for regular bail, which shall be considered on its own merit without being prejudiced by this order.

(Vinod Kumar Sinha, J)

sujit/-

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CAV DATE	
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Transmission Date	

