

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.4854 of 2018

Arising Out of PS. Case No.-347 Year-2018 Thana- BAKHTIYARPUR District- Patna

Suraj Kumar @ Suraj Kumar Soni, son of Suresh Prasad, Resident of
Hakikatpur, P.s. - Bakhtiyarpur, Distt.- Patna.

... .. Appellant/s

Versus

The State Of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Surendra Kumar Mishra
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 29.10.2018 passed by the learned Addl. District and Sessions Judge-IVth -cum-Special Judge, SC/ST Act, Patna in ABP No. 7778 of 2018 arising out of Bakhtiyarpur P.S.Case No. 347 of 2018 registered under Sections 323, 341, 494 and 504/34 of the Indian penal Code and Sections 3(i)(r)(s) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

Allegation against the appellant, who happens to be the husband of the informant, is that he married with another girl and locked her from outside the gate and when she asked to open the lock, she was assaulted and ousted from the house. Earlier also, a case has been lodged by the informant in Bakhitarpur P.S. being Bakhtiarapur P.S.Case No. 195 of 2014.



Submission of learned counsel for the appellant is that marriage was solemnized with the informant 14 years back and from the wedlock, she has a son of 13 years and a daughter of 8 years and this false and concocted case has been lodged against the appellant.

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 Addl. District and Sessions Judge-IVth -cum-Special Judge, SC/ST Act, Patna in ABP No. 7778 of 2018 arising out of Bakhtiyarpur P.S.Case No. 347 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/-

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CAV DATE	
Uploading Date	
Transmission Date	

