

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.4602 of 2018

Arising Out of PS. Case No.-438 Year-2018 Thana- PHULWARISHARIF District- Patna

Sonu @ Brahm Nath, son of Rameshwar Singh, residents of village Bhusaula
Danapur, Police Station Phulwarisharif, District- Patna.

... .. Appellant/s

Versus

State Of Bihar & Anr

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Ashok Kumar Mishra
For the Respondent/s : Mr.Binay Krishna

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

3 09-01-2019 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 25.10.2018 passed by learned Special Judge SC/ST Act-cum Additional Sessions Judge-IV, Patna arising out of Phulwarisharif P.S. Case No. 438 of 2018 registered under Sections 498A, 341, 323, 307, 504/34 of the Indian Penal Code and Section 3(i)(x) of the SC/ST Act.

Informant has alleged that appellant has solemnized marriage with her but subsequently to marriage she is being tortured and abused by her caste name. Appellant states that the allegation of torture and abuse is false and concocted and he is ready to keep his wife with dignity and honour wherever he



lives. Appellant is in custody since 29.08.2018.

Considering the aforesaid facts and circumstances of the case, let the appellant named above be released on bail upon furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned court below where the case is pending in connection with aforesaid case, with following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) appellant shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and his absence on two consecutive dates without proper and sufficient reason the trial court will be at liberty to cancel his bail bond.

(3) If the appellant tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the appellant.

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

(S. Kumar, J)

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