

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.4112 of 2018

Arising Out of PS. Case No.-122 Year-2018 Thana- BARAUNI District- Begusarai

Vicky Kumar, S/o Tuntun Poddar R/o Vill.-Keshawe Near Hanuman Mandir-
P.S.-Barauni (Rifainary) Dist.-Begusarai.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Shubhesh Pandey
For the Respondent/s : Mr.Sri Sadanand Paswan

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

4 08-01-2019 The appellant seeks pre arrest bail in connection with Barauni (Refinery) P.S. Case No. 122 of 2018, registered for offences punishable under Sections 341, 448, 504, 354(C) , 506 of the Indian Penal Code, Section 66 of I.T. Act and Section 3(i) (x) of SC/ST Act.

Allegation against the appellant is that he on the point of pistol got the signature of daughter of the informant on the plain paper and further there is allegation of outraging the modesty of daughter of the informant and when she refused, he threatened to kill all the family members.

It has been submitted on behalf of the appellant that he has falsely been implicated in this case and there was love affair between the daughter of the informant and the appellant



and they have married also, which will appear from Annexure -2 and the informant has not allowed his daughter to live with the appellant and has filed the present false case and further the girl is aged about 18 years, which is evident from the F.I.R. itself.

Heard learned Special P.P. also.

Having heard both sides, considering the facts and circumstances of the case, this appeal is disposed of with direction to the appellant to surrender before the court of learned Special Judge within a period of two weeks and on surrender, the court of Special Judge will release the petitioner on provisional bail for a period of one month, during which period, the Court below will issue notice to the daughter of the informant and will verify the claim of appellant with regard to his marriage with the daughter of the informant and if the claim of appellant is found to be true, the court below will confirm the provisional bail of the appellant otherwise, he is free to pass any order as he deems fit and proper.

It is also made clear that if in spite of notice, daughter of the informant does not appear in the court of Special Judge, then in that situation also, the provisional bail of the appellant shall



be confirmed.

With the aforesaid observation and direction, this application is disposed of.

(Vinod Kumar Sinha, J)

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