

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.59 of 2020

Arising Out of PS. Case No.-209 Year-2019 Thana- KATORIYA District- Banka

DILIP KUMAR YADAV @ DILIP KUMAR@ DILIP YADAV S/o Ganesh
Yadav Resident of Village- Telngwa, P.S.- Katoriya, Distt- Banka

... .. Appellant/s

Versus

1. The State Of Bihar
2. Pinki Devi W/o Dilip Yadav @ Dilip Kumar Yadav Resident of Village-
Telangwa, P.S.- Katoriya, Distt- Banka

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Dhananjay Kumar Pandey, Advocate
For the Respondent/s : Mrs.Usha Kumari 1, SPP

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

2 03-03-2020 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 vide order dated 13.12.2019 passed by the learned Additional Sessions Judge-I, Banka, in connection with Katoriya Police Station Case No.209 of 2019, registered under Section 498A of the Indian Penal Code, Section 3/4 of the D.P. Act and Sections 3(1)(r)(s)/3(2)(va) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

Respondent No.2 entered into love marriage with the appellant and thereafter allegation is of demand of dowry and



torture for the same. The appellant is in custody since 15.11.2019.

Submission is that appellant is still ready for restoration of conjugal life.

Learned counsel for respondent No.2 submits that respondent No.2 is ready for company of the appellant.

Considering the submission of the parties, let the appellant, above named, be released on **provisional bail for six months** on furnishing bail bond of Rs.20,000/- (Twenty Thousand) with two sureties of the like amount each to the satisfaction of the learned Court-below where the case is pending in connection with the aforesaid case, with following conditions:

(a) Both the bailors shall be the resident of territorial jurisdiction of the learned Court-below.

(b) The appellant shall fully cooperate with the investigation/trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the appellant.

(c) The appellant shall not leave the country without permission of the trial Court.

In the meantime, appellant shall take steps for restoration of conjugal life with respondent No.2. If the



appellant would not be cooperative the Court-below shall cancel the provisional bail of the appellant and if the matrimonial life is restored or respondent No.2 is found to be non-cooperative, the provisional bail shall be confirmed by the Court-below itself.

With the aforesaid observation, the impugned order is set aside and the appeal is disposed of.

(Birendra Kumar, J)

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