

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.66 of 2020

Arising Out of PS. Case No.-51 Year-2018 Thana- MAHILA P.S. District- Banka

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BINAY PRASAD JHA @ BINAY KUMAR JHA Son of Vinod Prasad Jha
Resident of Village - Baijudih, P.S. - Amarpur, District - Banka

... .. Appellant/s

Versus

1. The State of Bihar
2. Manisha Devi Wife of Binay Prasad Jha Resident of Village - Tetariya, P.S. -
Sajour, District - Bhagalpur

... .. Respondent/s

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Appearance :

For the Appellant/s :

For the Respondent/s :

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR

ORAL JUDGMENT

Date : 10-02-2020

No one appeared for the parties.

This is an appeal under Section 14-A(2) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 (hereinafter referred to as the “SC/ST Act”) against the refusal of prayer for regular bail vide order dated 03.12.2019 in G.R No. 2837 of 2018 passed by the learned 1st Additional Sessions Judge, Banka in connection with Mahila P.S. Case No. 51 of 2018 registered under Sections 498(A)/34 of the Indian Penal Code, Section 3 and 4 of the Dowry Prohibition Act as well as Sections 3(1)(z)(zc) of the SC/ST Act.

Appellant is wife of opposite party no. 2. Though there is allegation of demand of dowry and torture for the same, however,



the matter appears to be of love marriage and the parties have entered into a compromise.

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

(a) 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.

(b) Both the bailors shall be resident of the territorial jurisdiction of the learned court below.

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

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

(Birendra Kumar, J)

Kundan/-

AFR/NAFR	N.A.
CAV DATE	N.A.
Uploading Date	12.02.2020
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