

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.3096 of 2019**

Arising Out of PS. Case No.-16 Year-2019 Thana- MAHILA P.S. District- Vaishali

SANTOSH BHAGAT Son of Ashok Bhagat R/o- Sahtha, P.S.- Vaishali,
District- Vaishali

... .. Appellant/s

Versus

1. The State of Bihar
2. Pinki Devi D/O Raghunath Paswan R/O VILL-MAGHAUL P.S.-
MANIYARI DISTRICT-MUZAFFARPUR

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Ajit Kumar, Adv
For the Respondent/s : Mr.Sadanand Paswan, APP

**CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER**

8 17-02-2020

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 by order dated 18.06.2019 in G.R. No.78 of 2019 arising out of Hajipur Mahila P.S.Case No.16 of 2019 passed by the learned Addl. Sessions Judge-1-cum-Special Judge, Hajipur, Vaishali, registered under Sections 341,323,354,504,508,376 of the Indian Penal Code, and Section 3(i)(r)(s) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

Allegation against the appellant is that he



induced to the informant to go with him for the purpose of marriage and thereafter both were in physical relation. Later on appellant refused to marry.

Submission of learned counsel for the appellant is that appellant was allowed provisional bail by order dated 21.10.2019 considering the fact that informant was in fact married with Rajkishor Paswan and had two children from Rajkishor Paswan. Thereafter, both spouse were not pulling well and Rajkishor Paswan had brought a case under Section 9 of the Hindu Marriage Act for restitution of conjugal right against the informant of this case.

Considering the nature of allegation and background of the informant that she was already married with some other person which was suppressed by her while going alongwith the appellant, let the provisional bail granted to the appellant be confirmed.

Accordingly, this appeal stands disposed of.

(Birendra Kumar, J)

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