

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.5734 of 2019

Arising Out of PS. Case No.-387 Year-2019 Thana- KHAJEKALA District- Patna

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ROHIT YADAV @ ROHIT KUMAR YADAV @ ROHIT KUMAR Son of
Surendra Yadav @ Raphu Resident of Village - Beur Chowk, P.S.- Phulwari
Sharif, Distt.- Patna.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

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Appearance :

For the Appellant/s : Mr.Manoj Kumar, Advocate.

For the Respondent/s : Mr.Usha Kumari 1, Spl. P.P.

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

3 26-02-2020 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 anticipatory bail vide order dated 11.11.2019 passed by the learned Additional District Judge (XX) cum-special Judge, (SC/ST Act), Patna in A.B.P. No. 8410 of 2019, arising out of Khajekala P.S. Case No. 387 of 2019 registered under Sections 504, 506, 354(c) of the Indian Penal Code and Section 66 of A.I.T Act and 3(1)(r)(a) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

Father of the present informant had lodged an FIR in Khajekala P.S. Case no. 85 of 2018 against the appellant



alleging therein that the informant of this case was kidnapped by the appellant. In that case statement of the informant was recorded under Section 164 Cr.P.C. A copy of the same is at Annexure-3. The same reveals that the informant stated that she entered into love marriage with the appellant. She further stated that there was no demand of dowry. The father has lodged a wrong case against the appellant. Appellant is a good man. Thereafter, the informant lodged Mahila Phulwari P.S. Case No. 195 of 2018 in Patna against the appellant for offence under Sections 498(A), 504 and 506 of IPC and then the present case alleging therein that the appellant sends different abusive messages even on the facebook and social media to humiliate the informant.

Considering the background of allegation and relationship between parties as well as future chances of settlement, let the appellant, above named in the event of their arrest or surrender before the Court below within a period of thirty days from the date of receipt of the order, be released on bail, on furnishing bail bonds 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)

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