

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.3080 of 2023

Arising Out of PS. Case No.-2 Year-2023 Thana- MAHILA PS District- Katihar

RANA KUMAR Son of Bipin Yadav Resident of village - Jagatpur, P.s. -
Parbatta, Distt. - Bhagalpur

... .. Appellant/s

Versus

The State Of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr.Brajesh Kumar Singh
For the State	:	Mr.Usha Kumari 1
For the Informant/s	:	Mr. Kunwar Ajit Singh
	:	Mr. Sanjeev Kumar Singh

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 14-09-2023 Heard learned counsel for the appellant, learned
counsel for the informant and learned APP for the State.

2. The instant appeal has been filed by the appellant against the order dated 22.5.2023 passed by learned Addl. District Judge-I-cum-Special Judge, SC/ST, Katihar whereby the prayer for bail of the appellant in connection with Mahila P.S. Case no. 2 of 2023 under Sections 498A, 341, 323, 504, 506 of the Indian Penal Code, section 3/4 Dowry Prohibition Act, Section 66(E) of the I.T. Act and section 3(i)(w)(i) of SC/ST Act was rejected.

3. The appellant is alleged to have subjected cruelty and torture the complainant due to non-fulfillment of dowry demand.



4. It is submitted by learned counsel for the appellant that appellant has committed no offence. He has been falsely implicated in this case as he is husband of the informant. He has not taken the caste name of the informant as such, no offence is made out under the provisions of the SC/ST Act against him. The appellant has never demanded dowry and he is ready to keep his wife/informant with full dignity and honour. The appellant has got no criminal antecedent and languishing in judicial custody since 25.4.2023.

5. Learned Spl P.P. appearing for the state and learned counsel for the informant have vehemently opposed the prayer of regular bail.

6. Having heard learned counsel for the parties and taking into consideration that there is general and omnibus allegation against the appellant, the Court is inclined to allow this appeal. Accordingly, the appeal is allowed and the impugned order dated 22.5.2023 passed in Mahila P.S. Case no. 2 of 2023 is hereby set aside.

7. The appellant is directed to be enlarged on bail in connection with Mahila P.S. Case no. 2 of 2023 on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned



Additional District Judge-I-cum-Special Judge, SC/ST, Katihar
or concerned Court.

(Sunil Kumar Panwar, J)

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