

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.3663 of 2022

Arising Out of PS. Case No.-227 Year-2020 Thana- PATEPUR District- Vaishali

VISHAL SINGH @ RAJA @ KANHAI @ RAGHVENDRA KUMAR
SINGH S/o Santosh Singh R/v- Sondhopatti, P.S.- Sakara, District-
Muzaffarpur

... .. Appellant/s

Versus

1. The State of Bihar
2. CHANDANI DEVI D/o Ram Sagar Rai Naihar at village- Krishanwara,
P.S.- Patepur, District- Vaishali Sasural at village - Sondhopatti, P.S.- Sakara,
District- Muzaffarpur

... .. Respondent/s

Appearance :

For the Appellant/s : Mrs. Bela Singh
For the Respondent/s : Mr. Sadanand Paswan

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 22-03-2023 Heard learned counsel for the appellant and
learned Special Public Prosecutor for the State.

Learned Special Public Prosecutor for the State has
informed that in compliance of the order dated 22.02.2023, he
has informed the informant but none is present on her behalf.

This is an appeal under Section 14(A)(2) of the
Scheduled Castes and Scheduled Tribes (Prevention of
Atrocities) Act, 1989 (hereinafter in short referred to as the
'SC/ST Act') against the refusal of prayer of anticipatory bail
vide order dated 06.08.2022 passed by learned Special Judge
(SC/ST Act), Vaishali at Hajipur in connection with Patepur P.S.
Case No. 227 of 2020 dated 22.10.2020 under Section 323 and



498A of the Indian Penal Code and Section 3(1) (r) (s) (of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.

The prosecution case, in brief, is that the informant was married with petitioner Vishal Singh and it was love and inter-caste marriage. Out of the said wedlock, the informant give birth to two children. It is further alleged that after marriage, all accused persons used abusive language in the name of caste, tortured and demanded cash and one motorcycle as dowry.

It is submitted by learned counsel for the appellant that no such occurrence as alleged ever took place. Appellant has been falsely implicated in the case. The matter is related to family dispute. It is further submitted that the alleged occurrence has happened inside the house and not in public place, hence no offence is made under SC/ST Act. It is further submitted that the informant is not the wife of the appellant. It is also submitted that neither any demand of dowry has been made nor the informant was tortured. It is lastly submitted that both the parties have compromised the matter and a certified copy of the said compromise petition has been produced in Court. Let the said compromise petition be kept on record. Appellant has



no criminal antecedent as mentioned in para-3 of this memo of appeal.

Learned Spl. PP for the State opposed the prayer for bail.

In the facts and circumstances of the case, the above named appellant, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be released on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge (SC/ST Act), Vaishali at Hajipur in connection with Patepur P.S. Case No.227 of 2020, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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