

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.2786 of 2024

Arising Out of PS. Case No.-39 Year-2024 Thana- MADHUBAN District- East Champaran

Raja Kumar Sahani @ Raja Babu Kumar SON OF SHIVLAL SAHANI
VILLAGE- KOTHIYA, PS- MADHUBAN, DIST- EAST CHAMPARAN

... .. Appellant/s

Versus

- 1 . The State of Bihar
2. PUNAM KUMARI WIFE OF JAIMANGAL PASWAN VILLAGE-
KOTHIYA, PS- MADHUBAN, DIST- EAST CHAMPARAN

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr. Dhurendra Kumar , Advocate
For the Respondent/s	:	Mrs. Usha Kumari 1, Spl. PP
For respondent No. 2	:	Mr. Ajay Kumar singh, Advocate

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 26-03-2025 Heard learned counsel for the appellant, learned

Spl. Public Prosecutor appearing on behalf of the State and

learned counsel for the Respondent No. 2.

2. This appeal has been preferred on behalf of the appellant under Section 14-A(2) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act for setting aside the order dated 19.04.2024 passed by the learned Special Judge, SC/ST Act, East Champaran, Motihari in Madhuban P.S. Case No. 39 of 2024, registered for the offences punishable under Sections 341, 323, 376, 379, 504, 506, 34 of the Indian Penal Code, Section 3 of Dowry Prohibition Act & Section 3(i)(r)(s)(w)(ii)/3(2)v(a) of SC and ST (Prevention of Atrocities) Act,



whereby the prayer for bail of the appellant has been rejected.

3 . As per F.I.R., on the pretext of marriage, the appellant enticed away the informant to Punjab and made physical relation with her. It has further been alleged that when she returned to his house, the accused persons named in the FIR demanded dowry of Rs. 5 lakh and a bullet motorcycle. On nonfulfillment of demand of dowry, the accused persons abused her by calling her caste name and also assaulted her.

4. Learned counsel for the appellant submits that the victim and this appellant has solemnized marriage on 20.02.2024 in the premises of baba bodhnath sheo mandir Tetaria in the presence of well wishers of both the parties. and the case has been compromised between the parties. The victim in her statement recorded under section 164 Cr P C has stated that she had married with the appellant. Appellant claims clean antecedent. Chargesheet has already been submitted. Appellant is in custody since 21.03.2024 .

5 . Learned Spl. Public Prosecutor for the State and learned counsel for the respondent no. 2 oppose the bail application .

6. Considering the 164 Cr P C statement of the victim and circumstances of the case as well as the rival submissions



advanced on behalf of the parties, let the appellant, as named above be released on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge, SC/ST Act, East Champaran, Motihari in connection with Madhuban P.S. Case No. 39 of 2024 .

7. Accordingly, the impugned order dated 19.04.2024 is set aside and this criminal appeal is allowed.

(Prabhat Kumar Singh, J)

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