

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.4305 of 2024

Arising Out of PS. Case No.-159 Year-2024 Thana- PIRBAHOR District- Patna

Ranjan Kumar @ Ranjan Kumar Yadav, aged about 29 years, Gender- Male,
Son of Bado Mahto @ Bhado Yadav Bhadwa, Resident of Village- Saharia
Tola, P.S. - Athmalgola, District - Patna

... .. Appellant/s

Versus

1. The State of Bihar
2. Pawan Kumar Das Son of Late Basant Ram Resident of Bajaja Gali,
Bakarganj, P.S. - Pirbahore, District - Patna

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr. Kamlesh Kumar Pathak, Advocate Mr. Sumit Kumar Bhagat, Advocate
For the Respondent/s	:	Mr. Deepak Kumar, Advocate Mr. Sadanand Paswan, Spl. P.P.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

4 12-11-2025 Heard learned counsel for the appellant; learned
counsel appearing on behalf of the informant and learned Spl.
PP for the State.

2. The appellant has preferred the appeal under
Section 14(A)(2) of the SC/ST (POA) Act against the rejection
of prayer for pre-arrest bail vide order dated 22.07.2024 passed
by learned Exclusive Special Judge, SC/ST (POA) Act Civil
Court (Sadar), Patna in A.B.P. No. 2445 of 2024 arising out of
Pirbahore P.S. Case No. 159 of 2024 registered under Sections
366, 504/34 of the Indian Penal Code and Sections 3(i)(r), 3(2)
(va) of the SC/ST (POA) Act.



3. As per the allegation made in the F.I.R., on 10.03.2024 at about 04:00 A.M., the informant/respondent found that his daughter was allegedly missing, to which, he enquired from the appellant, who at the relevant point of time, was tenant in the same house where the informant used to reside as a renter. Upon enquiry, appellant and his family members allegedly started abusing by taking caste name of the informant/respondent and the appellant fled away with the daughter of the informant/respondent.

4. Learned counsel appearing on behalf of the appellant submitted that appellant is adult and he was in love relationship with the daughter of the informant/respondent and they chose to marry according to their wishes. Out of marital relationship, they have also blessed with a male child. He further submitted that the incidence is not within the public view and no case under Sections 366, 504/34 of the Indian Penal Code and Sections 3(i)(r), 3(2)(va) of the SC/ST (POA) Act is made out against the appellant. On these grounds, learned counsel submitted that appellant deserves to be released on pre-arrest bail.

5. *Per contra*, learned counsel appearing on behalf of the informant submitted that the informant is the father of the



victim girl to whom the appellant had forced to marry against her wishes, as such, the appellant don't deserve to be released on bail. He, however, submitted that in spite of the fact that the appellant has given information that his daughter has married with him, he has been restrained from meeting and talking with his daughter. He finds that to bring back harmony in the family and to give good colour to the relationship by giving hatred, at least, the informant deserves to be given opportunity to meet with his daughter.

6. Learned Spl. PP for the State submitted that good sense prevail between the parties and it will be in the interest of the society and the family that both the parties join together and lead a happy life giving love and affection for each other.

7. Having considered the rival submissions made on behalf of the parties, as well as, having perused the FIR and the impugned order, I find that there is force in the argument of learned Spl. P.P. appearing on behalf of the State. The parties have now chosen to unite together and lead a happy family life. Even otherwise also, no case under Sections 366, 504/34 of the Indian Penal Code and Sections 3(i)(r), 3(2)(va) of the SC/ST (POA) Act is made out against the appellant. I am of the opinion that appellant has *prima facie* made out a case to be released on



pre-arrest bail.

8. The appellant, above named, is directed to be released on bail, in the event of his arrest or surrender before the learned District Court within a period of four weeks, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned District Court where the case is pending in connection with Pirbahore P.S. Case No. 159 of 2024, subject to the condition as laid down under Section 438 (2) of the Cr.P.C / 482 (2) of the BNSS.

9. Accordingly, the impugned order is set aside and appeal is allowed.

(Purnendu Singh, J)

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