

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.591 of 2022

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

Mohan Kumar Singh Son Of Santosh Singh @ Santosh Kumar Singh
Resident Of Village- Sondho Patti, Police Station- Sakra, District-
Muzaffarpur

... .. Appellant/s

Versus

1. The State of Bihar
2. Chandani Devi Wife of Vishal Singh Resident of Village-Krishnavada,P.S-
Patepur,District- Vaishali

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mrs. Shama Sinha, Adv. With Mr. Vijayansh Pratap Singh and Mr. Surya Prakash
For the Respondent/s	:	Mrs.Usha Kumari 1, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 15-01-2026 Heard learned counsel for the appellant and learned
Special P.P. for of the State.

2. This appeal has been filed against the order dated
passed by learned Special Judge, SC/ST Act, Vaishali at Hajipur
in a case registered under Sections 323, 498 A of the Indian
Penal Code, Section 4 of Dowry Prohibition Act and Section
3(i)(r)(s) of the SC/ST Act, whereby the prayer for anticipatory
bail of appellant has been rejected.

3. As per F.I.R., the informant, who is member of
Schedule Caste, performed inter-caste marriage with co-accused
Vishal Singh @ Raja and out of the wedlock, two children were



born, but after the marriage, she was subjected to caste-based abusive language, torture and harassment by the accused persons for dowry and lastly, she was ousted from her matrimonial house.

4. Learned counsel for the appellant submits that appellant is brother-in-law of the informant. Specific accusation is against informant's husband namely Vishal Singh @ Raja, who has already been granted anticipatory bail by a coordinate Bench of this Court, vide order dated 22.03.2023 passed in Cr.Appeal (SJ) No. 3663 of 2022. Father -in-law of informant has also been granted anticipatory bail, vide order dated 14.11.2024 passed in Cr.Appeal (SJ) No. 446 of 2022. The alleged occurrence did not take place within public view and as such, no case under the SC/ST Act is made out against appellant and he claims clean antecedent.

5. In the facts and circumstances of the case, the impugned order dated 15.01.2022 is, hereby, set aside and this criminal appeal is allowed.

6. Let the appellant, as named above, in the event of arrest or surrender within a period of eight weeks from today, 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 learned Special Judge, SC/ST Act, Vaishali at
Hajipur in connection with Patepur P.S. Case No. 227 of 2020.

(Prabhat Kumar Singh, J)

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