

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.2599 of 2024

Arising Out of PS. Case No.-59 Year-2023 Thana- SC/ST District- Darbhanga

Pintu Kumar Sah @ Prabhat @ Prabhat Prabhakar son of Ajay Sah Mohalla-
Moghapura W.No-28, Ps- Laheriasarai Dist- Darbhanga

... .. Appellant/s

Versus

1. The State of Bihar
2. Kajal Kumari wife of Pintu Kumar Sah @ Prabhat @ Prabhat Prabhakar
Moh- Moghapura W.No-28, Ps- Laheriasarai Dist- Darbhanga P/A- Naudega
Ps- Baheri Dist- Darbhanga

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Aryan Singh
For the Respondent/s : Ms. Usha Kumari 1

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

6 23-06-2026 1. Heard learned counsel for the appellant and the
learned Special P.P. Ms. Usha Kumari No.I for the State.

2. This is an appeal under Section 14-A(2) of the
Scheduled Castes and Scheduled Tribes (Prevention of
Atrocities) Act, 1989 (hereinafter referred to as the “SC/ST
Act”) against the refusal of prayer for anticipatory bail vide
order dated 13.03.2024 in A.B.P. No. 01/2024, arising out of
SC/ST P.S. Case No.59 of 2023, passed by the learned
Exclusive Special Judge, SC/ST (POA) Act, Darbhanga
registered under Sections 341, 323, 342, 354, 379, 498(A),
120(B) and 34 of the Indian Penal Code and Sections 3(i)(r),
3(i)(s), 3(2)(va) of the SC/ST Act.



3. Learned counsel for the appellant submits that from perusal of the office report dated 20.02.2026, it would manifest that ordinary notice was received by the father of respondent no.2. It is next submitted that a jointness application has been filed as would manifest from the office report dated 20.06.2026. It is next submitted that informant despite valid service of notice chooses not to appear and contest. It is next submitted that the dispute is matrimonial and appellant being husband has been falsely implicated in the instant case by the informant. It is further submitted that marriage of the appellant with the informant was a love marriage, as such some dispute arose in the family which led to institution of the instant FIR but then normal wear and tear of life was exaggerated. It is further submitted that the instant FIR is the second FIR and the first FIR was instituted by the father of the informant being Baheri P.S. Case No.138 of 2023 dated 06.05.2023 alleging that the appellant had kidnapped his daughter with an intent to marry. It is also submitted that appellant and informant got married but then the parents of the informant and family members of the appellant objected to the marriage, hence on account of family pressure the present false case came to be instituted. It is asserted and submitted that appellant does not dispute his



marriage with the informant.

4. Learned Special Public Prosecutor opposes the appeal.

5. Considering the submission and taking into consideration the fact that informant despite receiving notice chooses not to appear and contest, et the appellant, above named, in the event of his arrest or surrender before the learned Court below within a period of six weeks from the date of receipt of the order, be released on anticipatory bail on furnishing bail bond of Rs.5,000/- (rupees five thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending in connection with the aforesaid case, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

6. Accordingly, the impugned order is set aside and this appeal stands allowed.

(Satyavrat Verma, J)

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