

IN THE SUPREME COURT OF INDIA  
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL NO. 540 OF 2020  
(Arising out of SLP(CrI) No. 3219/2020)

RAMBALI PATHAK @ RAMBALI KUMAR PATHAK APPELLANT(S)

VERSUS

THE STATE OF BIHAR & ANR. RESPONDENT(S)

O R D E R

Leave granted.

This appeal challenges the judgment and order dated 08.07.2020 passed by the High Court of Judicature at Patna in Criminal Miscellaneous No. 6148/2020.

The appellant (accused No. 1) is facing trial pursuant to FIR No.86 dated 29.11.2019, for the offences punishable under Sections 3 & 4 of the Dowry Prohibition Act, 1961 and Section 376 of the Indian Penal Code. The application preferred by the appellant for anticipatory bail having been rejected by the High Court, the present appeal has been filed.

By order dated 05.08.2020, this Court issued notice and granted interim protection. The original-complainant was also directed to be added as respondent to the proceedings. Notices have

accordingly been served.

We have heard Mr. Shailesh Madiyal, learned counsel for the appellant, Mr. Devashish Bharukha, learned counsel for the State and Mr. Bimlesh Kumar Singh, learned counsel for the complainant.

Mr. Madiyal, invited our attention to i) the initial complaint dated 19.11.2019 registered with Women Helpline, Samastipur, (ii) the First Information Report dated 29.11.2019 and (iii) the statement of the complainant recorded under Section 164, Cr.P.C.

Having gone through the record, in our considered view, a case for anticipatory bail is certainly made out. We order accordingly and direct that in case the appellant is arrested in connection with Case No. 86 of 2019 registered with Mahila Police Station Samastipur, the arresting officer shall release the appellant on bail on furnishing cash security in the sum of Rs. 50,000/- with one like surety.

Needless to say that the appellant shall present himself before the investigating machinery as and when his presence and participation is requisitioned.

With the aforesaid observations, the appeal is allowed.

.....J.  
[ UDAY UMESH LALIT ]

.....J.  
[ VINEET SARAN ]

NEW DELHI,  
AUGUST 25, 2020.

ITEM NO.14 Court 5 (Video Conferencing) SECTION II-A

S U P R E M E C O U R T O F I N D I A  
R E C O R D O F P R O C E E D I N G S

Petition(s) for Special Leave to Appeal (Cr1.) No(s). 3219/2020

(Arising out of impugned final judgment and order dated 08-07-2020 in CRLMN No. 6148/2020 passed by the High Court Of Judicature At Patna)

RAMBALI PATHAK @ RAMBALI KUMAR PATHAK Petitioner(s)

VERSUS

THE STATE OF BIHAR Respondent(s)

(FOR ADMISSION and I.R. and IA No.64353/2020-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT and IA No.64354/2020-EXEMPTION FROM FILING O.T. )

Date : 25-08-2020 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE UDAY UMESH LALIT  
HON'BLE MR. JUSTICE VINEET SARAN

For Petitioner(s) Mr. Shailesh Madiyal, Adv.  
Mr. Mahesh Thakur, AOR  
Mr. Sudhanshu Prakash, Adv.

For Respondent(s) Mr. Devashish Bharuka, AOR  
Mr. Justine George, adv.

Mr. Bimlesh Kumar Singh, AOR

UPON hearing the counsel the Court made the following  
O R D E R

Leave granted.

In case the appellant is arrested in connection with Case No. 86 of 2019 registered with Mahila Police Station Samastipur, the arresting officer shall release the appellant on bail on furnishing cash security in the sum of Rs. 50,000/- with one like surety.

The appeal is allowed with the observations contained in the signed order.

[ CHARANJEET KAUR ]  
A.R. - CUM - P.S.

[ PRADEEP KUMAR ]  
COURT MASTER

[ Signed order is placed on the file ]