

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.3783 of 2021

Arising Out of PS. Case No.-315 Year-2020 Thana- ATRI District- Gaya

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MANTU YADAV @ MANTU KUMAR SON OF RAJO YADAV R/O
VILLAGE- SUKHE BIGHA, P.S.- ATRI, DISTRICT- GAYA

... .. Appellant/s

Versus

THE STATE OF BIHAR

... .. Respondent/s

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Appearance :

For the Appellant/s : Mr. Syed Asgher Najmi
For the Respondent/s : Mrs. Usha Kumari 1

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 21-12-2021 Heard learned counsel for the appellant and
learned Special Public Prosecutor for the State.

Vide a detailed order dated 06.10.2021, the
appellant was granted provisional bail and case diary was called
for in this case.

It is submitted by learned counsel for the appellant
that no such occurrence as alleged ever took place. Appellant
has been falsely implicated in the case. Appellant has never
assaulted the old lady i.e. the grandmother of the informant. No
offence under SC/ST Act is made out against the appellant.
There is inordinate delay of one day in lodging the case without
assigning any plausible explanation for the said delay which
creates serious doubt about the prosecution case. Appellant has
no criminal antecedent.



Having heard learned counsel for the appellant and learned Special Public Prosecutor for the State, perusing the case record and the case diary, the provisional bail granted to the appellant vide order 06.10.2021 is hereby confirmed.

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

(Anjani Kumar Sharan, J)

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