

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1055 of 2022

Arising Out of PS. Case No.-262 Year-2021 Thana- JANTA BAZAR District- Saran

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YOGENDRA PANDEY Son of Late Kathin Pandey Resident of Village -
Purshotampur, p.s.- Janta Bazar, Distt.- Saran. Appellant/s
Versus

1. THE STATE OF BIHAR
2. Khushbu Kumari Ravindra Ram R/Village-Purushottampur, P.S.-Janta
Bazar, District-Saran at Chapra
... .. Respondent/s

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Appearance :

For the Appellant/s	:	Mr.Ashok Kumar
For the Respondent/s	:	Mr.Binay Krishna
For the Informant		Mr. Ankur Prakash Sinha
		Mr. Santosh Kumar

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 03-11-2022 Heard learned counsel for the appellant, learned
counsel for the informant and learned Special Public Prosecutor
for the State.

The instant appeal has been filed by the appellant against the order dated 03.03.2022 passed by learned Additional Sessions Judge VI-cum-Exclusive Special Judge, (POCSO Act), Saran in ABP No. 345 of 2022 whereby the prayer for bail of the appellant in connection with Janta Bazar P.S. Case no. 262 of 2021 under Section 341, 447, 448, 323, 354(B), 379, 427, 504, 506/34 of the Indian Penal Code and sections 3(i)(r)(s)(w) of SC/ST Act and Section 8/12 of POCSO Act was rejected.

Allegations against the appellant is of abusing by taking her caste name and assaulting the informant and her



family members. One of the co-accused persons had tried to outrage the modesty of the informant and snatched her gold ear ring. It is further alleged that appellant has threatened her of dire consequences.

It is submitted by learned counsel for the appellant that appellant has been falsely implicated in this case due to money dispute. He has not taken the cast name of the informant in public view. No offence is made out under the provisions of the SC/ST Act against him. He has got no criminal antecedent. During investigation, independent witnesses have not supported the prosecution case.

The appeal for bail is opposed by learned Spl. P.P. for the State.

Having heard learned counsel for the parties and taking into consideration that there is general and omnibus allegation against the appellant, the Court is inclined to allow this appeal. Accordingly, the appeal is allowed and the impugned order dated 03.03.2022 passed in A.B.P. No 345 of 2022 is hereby set aside.

The appellant is directed to be enlarged on bail in connection with Janta Bazar P.S. Case No. 262 of 2021 on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only)



with two sureties of the like amount each to the satisfaction of
the learned Additional Sessions Judge VI-cum-Exclusive
Special Judge, (POCSO Act) Saran.

(Sunil Kumar Panwar, J)

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