

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1844 of 2022

Arising Out of PS. Case No.-6 Year-2022 Thana- SC/ST District- Madhubani

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Vidya pati Chaudhary Son of Hari Chaudhary Resident of Village - Baraha,
Post office - Barha, Police Station - Bisfi (Patauna), District - Madhubani.

... .. Appellant/s

Versus

1. The State of Bihar
2. Vimla Devi wife of Jawahar Choupal Resident of Village - Baraha, Post
office - Barha, Police Station - Bisfi (Patauna), District - Madhubani.

... .. Respondent/s

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Appearance :

For the Appellant/s : Md. Soban Asghar
For the Respondent/s : Mr.Usha Kumari 1

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

4 08-09-2022 Heard learned counsel for the appellant and learned
Special Public Prosecutor for the State.

The instant appeal has been filed by the appellant against the order dated 06.04.2022 passed by learned 1st Additional Sessions Judge-cum-Special Judge, Madhubani in ABP No. 355 of 2022 whereby the prayer for bail of the appellant in connection with Madhubani Sc/ST P.S. Case no. 06 of 2022 under Section 341, 323, 324, 308, 354(B), 379, 427, 504 and 506/34 of the Indian Penal Code and sections 3(i)(r)(s) (w1),3(2)(va) of SC/ST Act was rejected.

It is case of assaulting with knife to the informant and outrage the modesty by the appellant.



It is submitted by learned counsel for the appellant that appellant has been falsely implicated in this case due to previous land dispute and dirty village politics. From perusal of the injury report it appears that injured Pramila devi has received simple injury cause by hard substance. He has got no criminal antecedent. No offence is made out under the provisions of the SC/ST Act against him as he has not taken the caste name of the informant to disgrace his image in public view.

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 06.04.2022 passed in A.B.P. No. 355 of 2022 is hereby set aside.

The appellant is directed to be enlarged on bail in connection with Madhubani SC/ST P.S. Case No. 06 of 2022 in the event of arrest or surrender before the court below within a period of four weeks 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 1st Additional Sessions
Judge-Cum-Special Judge, Madhubani.

(Sunil Kumar Panwar, J)

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