

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.4198 of 2021**

Arising Out of PS. Case No.-361 Year-2021 Thana- ISLAMPUR District- Nalanda

Vikki Kumar @ Prince Kumar Son Of Rajesh Ram @ Rajesh Prasad @
Rajeshwar Kumar Resident Of Village- Bele, P.S.- Islampur, District-
Nalanda.

... .. Appellant/s

Versus

1. The State of Bihar
2. Vinod Paswan Son of Late Ram Gulam Paswan village-Bele,P.S-
Islampur,District-Nalanda

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr. Rana Ishwar Chandra
For the Respondent/s	:	Mr. Sadanand Paswan

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

4 22-09-2022 Heard the learned counsel for the appellant
and learned Special P.P for the State.

The appellant has challenged the order dated
15.09.2021 passed by learned Additional District and
Sessions Judge 7th-cum-Special Judge, POCSO, Nalanda
at Biharsharif in connection with Islampur P.S Case No.
361 of 2021 instituted for the offences punishable under
Sections 341, 323, 354, 504, 506 of the Indian Penal
Code and Section 8 of the POCSO Act and Sections 3(i)
(r)(s) of the SC & ST Act, whereby his prayer for being



released on anticipatory bail has been rejected.

The accusations are of outraging the modesty of the daughter of the informant, making assault and abusing by calling caste name.

It is submitted by learned counsel for the appellant that appellant has falsely been implicated in this case. It is further submitted that with malicious intention to grab the money which was taken by the informant from the appellant, the present F.I.R. has been registered. As per F.I.R, the occurrence took place in the house of the appellant, not in public view. Hence, the provisions under SC/ST Act would not be applicable in the case of the appellant. A statement has been made in para 3 of the petition that appellants have no criminal antecedent.

Taking into account the aforesaid facts, this Court deems it appropriate to set aside the order dated 15.09.2021.

Accordingly, this appeal is allowed.



The appellant, above named, is directed to be released on bail in the event of his arrest or surrender within a period of four weeks from today and on their furnishing bail bonds of Rs. 10,000/-(ten thousand) each with two sureties of the like amount each to the satisfaction of learned 7th Additional District & Sessions Judge-cum-Special Judge, POCSO, Nalanda at Bihar Sharif in connection with Islampur P.S. Case No. 361 of 2021.

nirajkrs/-

(Sunil Kumar Panwar, J)

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