

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.298 of 2023

Arising Out of PS. Case No.-579 Year-2022 Thana- PATRAKARNAGAR District- Patna

Sonu Kumar S/O Anil Sharma R/O Kurji Balupur Bagicha, P.S.- Digha, Distt- Patna.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Ritesh Kumar

For the Respondent/s : Mr.Sadanand Paswan

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 27-04-2023 Heard learned counsel for the appellant and

learned Special P.P for the State.

The appellant has challenged the order dated 09.12.2022 passed by learned Exclusive Special Judge SC/ST Act, Patna in connection with Special Case No. 363 of 2022 arising out of Patrakar Nagar P.S. Case No. 579 of 2022 instituted for the offences punishable under Sections 341, 323, 354(A), 354(B), 354(D), 504, 506 of the Indian Penal Code and Sections 3(1)(r)(w)(i)(ii) of the SC/ST Act and Section 37 of the Bihar Prohibition & Excise Act whereby his prayer for being released on bail has been rejected.



It is alleged against the appellant that he made an attempt to forcefully establish physical relationship with the informant and also assaulted the husband of the informant.

It is submitted by learned counsel for the appellant that appellant is innocent and he has falsely been implicated in this case. The appellant and the informant were known to each other from before and in the background of some hot exchange of talk, this false case has been registered against the appellant. The appellant is in custody since 26.09.2022. A statement has been made in para 3 of the petition that appellant has clean antecedent.

Learned Special P.P appearing on behalf of the State has vehemently opposed the prayer for bail of the appellant.

Taking into account the aforesaid facts, this Court deems it appropriate to set aside the order dated 09.12.2022 passed by learned Exclusive Special Judge



SC/ST Act, Patna in connection with Special Case No.
363 of 2022 arising out of Patrakar Nagar P.S. Case No.
579 of 2022.

Accordingly, this appeal is allowed.

The appellant, above named, is directed to be
released on bail on furnishing bail bonds of Rs. 10,000/-
(ten thousand) with two sureties of the like amount each
to the satisfaction of learned Exclusive Special Court,
SC/ST Act, Patna in connection with Special Case No.
363 of 2022 arising out of Patrakar Nagar P.S. Case No.
579 of 2022.

(Sunil Kumar Panwar, J)

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