

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No. 399 of 2022

Arising Out of PS. Case No.-214 Year-2021 Thana- GOH District- Aurangabad

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1. Nitish Kumar @ Nitish Kumar Yadav Son Of Vyash Yadav
 2. Ravi Kumar @ Ravi Kumar Yadav Son Of Shankar Yadav
 3. Munna Kumar @ Munna Yadav Son Of Devkaran Yadav
 4. Raju Kumar @ Raju Yadav Son Of Devkaran Yadav
- All Are resident of Village- Dowal @ Dobal, P.S.- Goh, District- Aurangabad

... .. Appellant/s

Versus

1. The State of Bihar.
2. Reshmi Devi Wife Of Ranjeet Das R/O Village- Dowal, P.S.- Goh, District- Aurangabad

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr. Yugal Kishore, Advocate
For the Respondent/s	:	Mr. Sadanand Paswan, Spl.P.P.
For the Informant	:	Mrs. Leelawati Kumari, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

3 31-01-2023 Heard learned counsel for the appellants as well as Special P.P. as also learned counsel for the informant.

The appellants apprehend their arrest in connection with Goh P.S. Case No.214 of 2021 instituted under Sections 341,323,504,354,354B,448,147,149 of the IPC and 3(i), (r) (s)/3(1)(w),(i) SC/ST Amended Act.

Learned counsel for the appellants submits that so far as appellant nos.2 to 4 are concerned, he do not intend to press their application and accordingly, the same stands dismissed as withdrawn.



So far as petitioner no.1 is concerned, it is the submission of the learned counsel for the appellants that nothing has been attributed to him to implicate him either under different sections of the Indian Penal Code and/or the SC/ST Act and only because of his relationship with the other appellant, his name has been dragged in.

Learned Special P.P. opposes the prayer.

Taking into account the aforesaid averment, from the FIR, it seems that the appellant no.1, Nitish Kumar save and except that his presence has been shown, nothing is on record to show and/or attribute any assault/abuse of the lady. Accordingly, so far as that part of the order of the learned Special Judge (SC/ST) Aurangabad dated 21.12.2021 in ABP No.1643 of 2021 relating to Nitish Kumar is concerned, the same is set aside.

Appeal with regard to appellant no.1, Nitish Kumar is allowed.

Let the appellant no.1, Nitish Kumar be released on bail, in the event of his arrest or surrender before the Sub-ordinate court within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) each with two sureties of the like amount each in connection with Goh P.S. Case No.214 of 2021 to the



satisfaction of learned Ist Additional District & Sessions Judge-
cum-Special Judge (SC/ST), Aurangabad.

(Rajiv Roy, J)

Prakash Narayan /-

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