

**IN THE HIGH COURT OF JUDICATURE AT PATNA  
CRIMINAL APPEAL (SJ) No.690 of 2023**

Arising Out of PS. Case No.-287 Year-2022 Thana- SIRDALA District- Nawada

Bipin Yadav @ Vipin Kumar Son Of Mahendra Yadav Resident Of Village-  
Chhomuha, P.S.- Sirdalla, District- Nawada

... .. Appellant/s

Versus

1. The State of Bihar
2. Puja Devi D/O Sadanand Manjhi Resident Of Village- Chhamuha, P.S.-  
Sirdalla, District- Nawada

... .. Respondent/s

**Appearance :**

For the Appellant/s : Mr.Sheo Kumar Prasad  
For the Respondent/s : Mr.Usha Kumari 1

**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  
16.12.2022 passed by learned Exclusive Special Court,  
SC/ST Act, Nawada in connection with Sirdalla P.S. Case  
No. 287 of 2022 instituted for the offences punishable  
under Sections 341, 323, 354, 34 of the Indian Penal  
Code and Sections 3(1)(r)(s) of the SC/ST Act whereby  
his prayer for being released on bail has been rejected.

It is a case of outraging the modesty of the  
informant and assaulting the husband of the informant



by all the F.I.R named accused persons including the appellant.

It is submitted by learned counsel for the appellant that appellant is innocent and he has falsely been implicated in this case. For the alleged occurrence of 02.06.2022, the F.I.R. has been registered on 05.06.2022 without explaining the delay. There is general and omnibus allegation against the appellant and in the background of some previous enmity, the present accusation has been levelled against the appellant. The appellant is in custody since 16.11.2022.

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 16.12.2022 passed by learned Exclusive Special Court, SC/ST Act, Nawada in connection with Sirdalla P.S. Case No. 287 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, Nawada in connection with Sirdalla P.S. Case No. 287 of 2022.

**(Sunil Kumar Panwar, J)**

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