

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.847 of 2023

Arising Out of PS. Case No.-321 Year-2022 Thana- PIRO District- Bhojpur

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AAMIR KHAN @ AAMIR S/O Mohammad Ibrahim Sheikh R/O Mohalla-
Ward NO- 13, Piro, P.S- Piro, District- Bhojpur

... .. Appellant/s

Versus

1. THE STATE OF BIHAR
2. Kinan Ram Suchit Ram R/O- Mohalla Ward No.13, Piro, District- Bhojpur

... .. Respondent/s

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Appearance :

For the Appellant/s	:	Mr.Ravindra Kumar
For the Respondent/s	:	Mr.Sadanand Paswan

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

5 21-09-2023 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 19.10.2022 passed by learned A.D.J. I-cum-Special Judge (SC & ST Acct) Bhojpur at Ara whereby the prayer for bail of the appellant in connection with Piro P.S. Case no. 321 of 2022 under Sections 363, 366A of the Indian Penal Code and sections 3(2)(v)(a) of SC/ST Act was rejected.

As per allegation in the FIR, appellant had abducted the minor daughter of the informant for the purpose of marriage and when the informant went to the house of the appellant to enquire into the matter, then his parents started to abuse and insult the informant.



It is submitted by learned counsel for the appellant that appellant has been falsely implicated in this case. There was love affair between the informant's daughter and the appellant. Her statement was recorded u/s 164 Cr.P.C. wherein she has disclosed that out of her own sweet will, she has eloped with the appellant. Even if, at last she desires to go with the appellant and she also stated that she want to perform marriage with him. She has not raised her finger for any overt act against the appellant. No offence is made out under the provisions of the SC/ST Act against them. He has got no criminal antecedent and languishing in judicial custody since 4.7.2022.

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 19.10.2022 is hereby set aside.

The appellant is directed to be enlarged on bail in connection with Piro P.S. Case No. 321 of 2022 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



ADJ-I-cum-Special Judge (SC/ST Act) Bhojpur at Ara.

(Sunil Kumar Panwar, J)

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