

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1183 of 2023

Arising Out of PS. Case No.-447 Year-2022 Thana- HARSIDHI District- East Champaran

Rajani Kumari D/O Umesh Das Resident Of Village -HARPUR Rai, P.S.-
Harsidhi, District- East Champaran

... .. Appellant/s

Versus

1. The State of Bihar
2. Umesh Das S/O Sanjeet Das Resident Of Village -HARPUR Rai, P.S.-
Harsidhi, District- East Champaran

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Abhishek Kumar
For the Respondent/s : Mr.Binay Krishna

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

5 10-08-2023 Heard learned counsel for the appellant and

learned Special P.P for the State.

The appellant has challenged the order dated

19.01.2023 passed by learned Special Judge SC/ST Act,

East Champaran at Motihari in connection with Harsidhi

P.S. Case No. 447 of 2022 instituted for the offences

punishable under Section 302, 201, 34 of the Indian

Penal Code and Sections 3(2)(v) of the SC/ST Act

whereby his prayer for being released on bail has been

rejected.

It is a case of commission of kidnapping and



murder of the minor son 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 is not named in the F.I.R and his name subsequently sprang up on the confessional statement of co-accused Suraj Singh @ Chintu Singh which has no evidentiary value in the eye of law and except confessional statement, no cogent material evidence has been collected against the appellant during investigation. The appellant is in custody since 15.09.2022.

Learned counsel appearing on behalf of the informant and learned Special P.P appearing on behalf of the State have 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 19.01.2023.

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 Special Judge, SC/ST Act, East Champaran, Motihari in connection with Harsidhi P.S. Case No. 447 of 2022.

(Sunil Kumar Panwar, J)

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