

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1440 of 2023

Arising Out of PS. Case No.-62 Year-2022 Thana- MAHILA PS District- Gaya

Sunil Kumar Son Of Dawarika Yadav R/O Mohalla- Balaji Colony Road
No.07, Devi Asthan Bhusunda, P.S.- Muffasil, District- Gaya

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Subhash Kumar

For the Respondent/s : Mr.Sadanand Paswan

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 03-08-2023 Heard learned counsel for the appellant and

learned Special P.P for the State.

The appellant has challenged the order dated 21.02.2023 passed by learned Exclusive Special Judge SC/ST Act, Gaya in connection with Mahila P.S. Case No. 62 of 2022 instituted for the offences punishable under Sections 376, 493, 354(D) 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 alleged against the appellant that he established physical relationship with the informant and continued the same for many times. He has also made



the video and photos of the intimate scene of the victim and started blackmailing her.

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 26.12.2021, the F.I.R. has been registered on 22.07.2022 without explaining the delay. The appellant is in custody since 19.01.2022. The appellant has married with the victim.

Learned counsel appearing on behalf of the informant has filed counter affidavit to the effect that victim has performed marriage with the appellant and now they wish to lead a happy conjugal life.

Taking into account the aforesaid facts, this Court deems it appropriate to set aside the order dated 21.02.2023.

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 Exclusive Special Judge,
SC/ST Act, Gaya in connection with Mahila P.S. Case
No. 62 of 2022.

(Sunil Kumar Panwar, J)

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