

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1727 of 2023**

Arising Out of PS. Case No.-3 Year-2023 Thana- SC/ST District- Munger

Mukesh Yadav @ Mukesh Kumar Son Of Lakhon Yadav @ Brajesh Kumar
Village- Ramchandrapur Ps- Jamalpur Faridpur Dist- Munger

... .. Appellant/s

Versus

1. The State of Bihar
2. Ritika Baski Bhudhadeo Baski Resident of Vill- Ghodhakaur P.s--
Sampur(Kharagpur) Dist- Munger.

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Rakesh Kumar

For the Respondent/s : Mr.Sadanand Paswan

**CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER**

5 24-08-2023 Heard learned counsel for the appellant,

informant and learned Special P.P for the State.

The appellant has challenged the order dated 02.03.2023 passed by learned Additional Sessions Judge-I-cum-Special Judge, SC/ST Act, Munger in connection with SC/ST Munger P.S. Case No. 03 of 2023 instituted for the offences punishable under Sections 341, 346, 354(A)(i)(ii) B, 504, 506, 420, 406, 409 of the Indian Penal Code and Sections 3(1)(r)(s)(w) (ii), 3(2)(va) of the SC/ST Act whereby his prayer for being released on bail has been rejected.



It is alleged against the appellant that he took Rs. 4,50,000/- from the father of the informant in the name of acquitting the brother of the informant in Sessions Case No. 82 of 2021. The appellant also made an attempt to ravish the informant. When the informant's father demanded his money back, the petitioner abused the informant and others by calling their caste name.

It is submitted by learned counsel for the appellant that appellant is innocent and he has falsely been implicated in this case. The informant has not produced any document with regard to handing over the money to the appellant. As per F.I.R, the occurrence did not take place in public view. Hence, the provision under SC/ST Act would not be applicable in the case of the appellant. Moreover, good sense has prevailed between the parties and both sides have compromised the matter. The appellant is in custody since 13.02.2023.

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 02.03.2023.

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 Additional Sessions Judge-I-cum-Special Judge, SC/ST Act, Munger in connection with SC/ST Munger P.S. Case No. 03 of 2023.

(Sunil Kumar Panwar, J)

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