

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.2152 of 2022

Arising Out of PS. Case No.-12 Year-2022 Thana- MAHILA P.S. District- Saran

1. BIRJU SAH SON OF PARSURAM SAH RESIDENT OF VILLAGE- KANAKPUR, P.S.- DIGHWARA, DISTRICT- SARAN (CHAPRA)
2. SURAJ SAH SON OF BIRJU SAH RESIDENT OF VILLAGE- KANAKPUR, P.S.- DIGHWARA, DISTRICT- SARAN (CHAPRA)
3. SUNNY KUMAR @ SANI KUMAR SON OF SHARMANAND SAH RESIDENT OF VILLAGE- KANAKPUR, P.S.- DIGHWARA, DISTRICT- SARAN (CHAPRA)
4. RAJA KUMAR SON OF AKHILESH SAH RESIDENT OF VILLAGE- KANAKPUR, P.S.- DIGHWARA, DISTRICT- SARAN (CHAPRA)

... .. Appellant/s

Versus

1. The State of Bihar
2. KAJAL KUMARI DAUGHTER OF KAMAKHYA SHARMA RESIDENT OF VILLAGE- KANAKPUR, P.S.- DIGHWARA, DISTRICT- SARAN (CHAPRA)

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr.Mukesh Kumar Singh
For the Respondent/s	:	Mr.Binay Krishna
		Mr.Avinash Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL ORDER

8 28-03-2023 Heard learned counsel for the appellants and learned counsel for the State.

This appeal is directed against the order dated 24.05.2022 passed by 3rd Additional Sessions Judge-cum-Special Judge, SC/ST Act, Saran at Chapra in connection with Mahila Saran P.S. Case No. 12 of 2022 registered for the offence under sections 406, 420, 366, 376, 120B of the Indian Penal Code and sections 3(1)(III)(X)(XI)(XII)(XV) of the



SC/ST (POA) Act and section 67 of the I.T. Act, whereby the prayer for grant of anticipatory bail to the appellant has been dismissed.

Learned counsel for the appellants submits that appellants have been falsely implicated in this case. Nothing specific is alleged against these appellants. The specific allegation is against co-accused Shubham Kumar. The appellants have no criminal antecedent.

Considering the facts and circumstances of the case and the submissions advanced on behalf of the parties, the appellants, above named, is directed to be released on bail on furnishing personal bond to the satisfaction of Additional Sessions Judge III-cum-Special Judge, SC/ST Act, Saran at Chapra in connection with Mahila Saran P.S. Case No. 12 of 2022 subject to the conditions as laid down under section 438(2) of the Code of Criminal Procedure.

The impugned order is set aside.

(Arvind Srivastava, J)

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