

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.2869 of 2023

Arising Out of PS. Case No.-865 Year-2022 Thana- DOBHI District- Gaya

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RAJESH YADAV @ RAMDHANI YADAV Son of Karu Yadav Resident of
Village - Chakla, P.S.- Dobhi, District - Gaya.

... .. Appellant/s

Versus

1. The State of Bihar Bihar
2. Savita Devi Wife of Prem Mandal Resident of Village - Chakla, P.S.- Dobhi,
District - Gaya.

... .. Respondent/s

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Appearance :

For the Appellant/s	:	Mr.Sanjay Kr. Sinha
For the Respondent/s	:	Mr.Sadanand Paswan

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 05-10-2023 Heard learned counsel for the appellant, learned
Special Public Prosecutor for the State.

2. The instant appeal has been filed by the appellant against the order dated 11.05.2023 passed by learned Exclusive Special Judge SC/ST, Gaya whereby the prayer for bail of the appellant in connection with Sherghati, Dhobi P.S. Case no. 865 of 2022 under Sections 341, 323, 354B of the Indian Penal Code and sections 3(i)(w) of SC/ST Act was rejected.

3. Allegation against the appellant is that he tried to outrage the modesty of the informant and also abused her by



taking her caste name.

4. It is submitted by learned counsel for the appellant that appellant has been falsely implicated in this case due to previous money dispute which was given by the appellant to the informant. There is inordinate delay of five days in lodging the FIR without given any cogent reason. He has not taken the caste name of the informant in public view. No offence is made out under the provisions of the SC/ST Act against him. It is further submitted that the appellant has got no criminal antecedent. Moreover, he is languishing in judicial custody since 05.04.2023.

5. The appeal for bail is opposed by learned Spl. P.P. for the State.

6. 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 11.05.2023 is hereby set aside.

7. The appellant is directed to be enlarged on bail in connection with Sherghati, Dhobi P.S. Case no. 865 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 Exclusive Special Judge SC/ST,
Gaya.

(Sunil Kumar Panwar, J)

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