

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.3006 of 2023

Arising Out of PS. Case No.-276 Year-2022 Thana- CHAUSA District- Madhepura

Sunil Mandal Son Of Late Bacchi Mandal Resident Of Village- Arajpur,
Yomania Tola, Ps- Chousa, Dist- Madhepura.

... .. Appellant/s

Versus

1. The State of Bihar
2. Manju Devi Wife Of Wakil Yadav Resident Of Village- Arajpur, Katchira,
Ward No. 12, Ps- Chousa, Dist- Madhepura

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Sanjay Kumar Singh
For the Respondent/s : Mr.Usha Kumari 1

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

4 02-11-2023 Heard learned counsel for the appellant, informant
and learned Special Public Prosecutor for the State.

2. The instant appeal has been filed by the appellant against the order dated 04.05.2023 passed by learned Additional District and Sessions Judge-I-cum-Special Judge, Madhepura, whereby the prayer for bail of the appellant in connection with Chausa P.S. Case No. 276 of 2022 under Sections 341, 323, 354B, 379/34 of the Indian Penal Code and Section 3(i)(r)(s) of the SC/ST Act was rejected.

3. The allegation against the appellant along with others is of assaulting and outraging the modesty to the informant.



4. It is submitted by learned counsel for the appellant that appellant has been falsely implicated in this case. There has been delay of two days in lodging the FIR. He submitted that there is general and omnibus allegation against the appellant. He further submitted that the informant claims that land in question belongs to her, but never single chit of paper about ownership of the land in question. Appellant 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. The appellant has no intention to disgrace the image of the informant in public view. He is languishing in judicial custody since 12.04.2023.

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

6. Having heard learned counsel for the parties and taking into consideration, the Court is inclined to allow this appeal. Accordingly, the appeal is allowed and the impugned order dated 04.05.2023 arising out of Chausa P.S. Case No. 276 of 2022 is hereby set aside.

7. The appellant is directed to be enlarged on bail in connection with Chausa P.S. Case No. 276 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 Additional District and Sessions Judge-1st-cum-Special Judge, Madhepura.

(Sunil Kumar Panwar, J)

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