

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.3064 of 2023**

Arising Out of PS. Case No.-450 Year-2022 Thana- MADHUBANI TOWN District-
Madhubani

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RAKESH GIRI @ RAKESH KUMAR Son of Suraj Giri @ Suraj Gosai @
Kitti Resident of village - Goshala Gaurakshni Mangrauni, P.s. - Rajnagar,
Distt. - Madhubani

... .. Appellant/s

Versus

1. The State of Bihar
2. Binita Devi Wife of Dayaram Paswan Resident of village - Adarsh Nagar
Colony, P.S. - Madhubani Town, Distt. - Madhubani

... .. Respondent/s

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Appearance :

For the Appellant/s : Mr.Subhash Kumar Jha
For the Respondent/s : Mr.Binay Krishna

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**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER**

2 01-09-2023 Heard learned counsel for the parties.

2. This criminal appeal has been filed against the order dated 27.04.2023 passed by learned Additional Sessions Judge 1st -cum-Special Judge, Madhubani in connection with Madhubani Town P.S. Case No. 450 of 2022, registered under Sections 448, 341, 323, 427, 379, 386, 504, 506/34 of the Indian Penal Code and Section 3 (i)(r)(w), 3(2)(VA) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act whereby the prayer for anticipatory bail of appellant has been rejected.

3. As per prosecution case, on the alleged date and time of the occurrence, this appellant along with other accused



persons, armed with weapons, came to the house of the informant, abused her by caste name, assaulted her demanded ransom of Rs. 2 lacs.

4. It is submitted that appellant has falsely been implicated in the present case. Allegation of assault and abuse is general and omnibus.

5. However, learned Spl. Public Prosecutor appearing for the State vehemently opposes the prayer for bail application and submits that there is specific accusation that this appellant and other accused persons abused the informant by caste name and demanded ransom. He further submits that appellant has got three criminal antecedents.

6. Considering the nature of accusation and criminal antecedents, I do not find any ground to interfere with the order of the learned court below and as such, the appeal, which has been filed for grant of anticipatory bail is, hereby, rejected.

(Prabhat Kumar Singh, J)

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