

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.3294 of 2023**

Arising Out of PS. Case No.-340 Year-2023 Thana- KAHALGAON District- Bhagalpur

Md. Intequab S/O Md. Tanveer Resident Of Kodar Jabba, Ps. Mirza Chauki,
Dist. Sahebganj (JHARKHAND)

... .. Appellant/s

Versus

1. The State Of Bihar
2. Ganga Devi W/O Chattu Das Resident Of Lalapur, Bhader, Ps. Kahalgaon,
Dist. Bhagalpur

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Md. Najmul Hodda
For the Respondent/s : Mr.Binay Krishna

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

3 12-10-2023 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 20.06.2023 passed by learned A.D.J. VIIth-cum-Special Judge (POCSO), Bhagalpur whereby the prayer for bail of the appellant in connection with Kahalgaon P.S. Case No. 340 of 2023 under Sections 365, 366A, 504, 506, 323, 354 and 34 of the Indian Penal Code and sections 3(i)(r)(s) of SC/ST Act was rejected.

3. Allegation against the appellant along with other co-accused persons is that they abducted the minor daughter of the informant when she went to attend her coaching class.



4. It is submitted by learned counsel for the appellant that appellant has been falsely implicated in this case due to village politics. 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. The victim was recovered and her statement was recorded under Section 164 of the Cr.P.C. in which she has not whispered any complicity of the appellant along with other co-accused persons and also she stated that she was in love affairs with the appellant. A statement has been made in para-3 of this petition that the appellant has got no criminal antecedent. Moreover, he is languishing in judicial custody since 21.03.2023.

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 20.06.2023 is hereby set aside.

7. The appellant is directed to be enlarged on bail in connection with Kahalgaon P.S. Case No. 340 of 2023 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 A.D.J. VIIth-cum-Special Judge (POCSO),
Bhagalpur.

(Sunil Kumar Panwar, J)

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