

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.3821 of 2023

Arising Out of PS. Case No.-107 Year-2023 Thana- PIPRAHI District- Sheohar

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Lakhindar Singh S/O Late Balsunar Singh R/O Village- Madhubani Kala, Ps-
Chiraiya, Dist- Motihari

... .. Appellant/s

Versus

1. The State Of Bihar
2. Satyendra Paswan Son Of Late Balsunar Singh R/O Vill- Madhubani Kala,
Ps- Chiraiya, Dist- Matihari

... .. Respondent/s

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Appearance :

For the Appellant/s : Mr.Santosh Kumar

For the Respondent/s : Mr.Binay Krishna

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 07-12-2023 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 19.07.2023 passed by learned Additional District and Sessions Judge-1-cum Special Judge, SC/ST (POA) Act, Sheohar whereby the prayer for bail of the appellant in connection with Piprahi P.S. Case no. 107 of 2023 under Sections 363, 366A and 34 of the Indian Penal Code and sections 3(2) (va) of SC/ST Act was rejected.

3. Allegation against the appellant along with other co-accused persons is that they abducted the daughter of the informant for the purpose of marriage.



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 recovered and her statement was recorded under Section 164 of the Cr.P.C., in which she did not whisper any complicity of the appellant in the alleged offence rather she stated that other co-accused persons, namely, Rina Devi, Abhishek Singh, Kapish and Anish have abducted her. 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 27.05.2023.

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 19.07.2023 is hereby set aside.

7. The appellant is directed to be enlarged on bail in connection with Piprahi P.S. Case No. 107 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 Additional District and Sessions Judge-I cum
Special Judge SC/ST (POA) Act, Sheohar.

(Sunil Kumar Panwar, J)

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