

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.3906 of 2023**

Arising Out of PS. Case No.-143 Year-2023 Thana- BISFI District- Madhubani

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Ramesh Kumar Mahto Son Of Bishwanath Mahto Vill Parsauni Ps Bisfi
(Patauna), Distt Madhubani

... .. Appellant/s

Versus

1. The State of Bihar
2. Pawaniya Devi Wife Of Sanjay Paswan Village And Po- Parsauni Ps- Bisfi
(Patauna), Dist- Madhubani

... .. Respondent/s

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Appearance :

For the Appellant/s : Mr.Ratanakar Jha

For the Respondent/s : Mr.Sadanand Paswan

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 16-10-2023 Heard learned counsel for the appellant, learned

Special Public Prosecutor for the State.

The instant appeal has been filed by the appellant against the order dated 20.07.2023 passed by learned 1st Additional Sessions Judge-cum-Special Judge, Madhubani whereby the prayer for bail of the appellant in connection with Bisfi (Patauna) P.S. Case no. 143 of 2023 under Sections 341, 323, 379, 363, 366(A), 504/34 of the Indian Penal Code and sections 3(1)(r)(s), 3(2)(va) of SC/ST Act was rejected.

Allegations against the appellant is of abducting the minor daughter of the informant with an intention to



marry her.

It is submitted by learned counsel for the appellant that appellant has been falsely implicated in this case. After recovery of the victim girl, her statement was recorded u/s 164 Cr.P.C. in which she has stated that out of her own sweet will, she had performed marriage with the appellant in village temple and the same is also mentioned in the impugned order. No offence is made out under the provisions of the SC/ST Act against them. He has got no criminal antecedent and languishing in judicial custody since 20.7.2023.

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

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 20.7.2023 is hereby set aside.

The appellant is directed to be enlarged on bail in connection with Bisfi (Patauna) PS Case No. 143 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 1st Additional Sessions
Judge-cum-Special Judge, Madhubani.

(Sunil Kumar Panwar, J)

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