

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.3431 of 2022**

Arising Out of PS. Case No.-6 Year-2022 Thana- MAHILA PS District- Gaya

SURAJ KUMAR @ SURAJ SINGH @ SURAJ KUMAR KRISHNA SINGH
S/O KRISHNA SINGH Resident of Village- Jaipur, P.S.- Fatehpur, District-
Gaya, Bihar- 824232

... .. Appellant/s

Versus

THE STATE OF BIHAR

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr. Dharendra Kumar, Advocate Mr. Indra Mohan Kumar, Advocate Mr. Ashutosh Singh, Advocate
For the Informant/s	:	Mr. Bindeshwar Prasad Singh, Advocate
For the Respondent/s	:	Mr. Binay Krishna, APP

**CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER**

3 12-04-2023 Heard the parties.

The instant criminal appeal has been filed under Section 14(A)(2) of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, against the order dated 17.08.2022 passed by the Court of learned Exclusive Special Judge, S.C./S.T., Gaya in connection with Mahila P.S. Case No.6 of 2022 registered for the offences punishable under Sections 354(D), 354 of the Indian Penal Code and Sections 67/67(A) of the I.T. Act and Sections 3(i)(r)(w) and 3(2)(v-a) of the SC/ST Act by which the the appellant's prayer for bail was rejected.

The main submissions advanced by learned counsel



for the appellant are that the appellant has no criminal antecedent and has been languishing in jail since 06.04.2022 and the alleged offences of SC/ST Act under which the chargesheet has been submitted are not made out against the appellant as the appellant and the informant are of the same caste and the mobile No.8149307375 is not registered in the name of the appellant and appellant resides in Maharashtra State for his livelihood and occasionally comes at his village and the alleged mobile number which was used in the alleged crime is in the name of one namely Dipali Mukund Mali who is a resident of nearby village of the appellant.

Learned APP appearing for the State has opposed the prayer for bail of the appellant made in this appeal and submitted that the order impugned has been rightly passed.

Considering the above submissions and mainly the appellant's custody period and his fair and clean antecedent as well as stage of his case, in the opinion of this Court it will be proper to enlarge the appellant on bail. Accordingly, the order impugned is hereby set aside and the appellant above-named is directed to be enlarged on bail on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of the Court concerned in connection



with Mahila P.S. Case No.6 of 2022.

Accordingly, the instant appeal stands allowed.

(Shailendra Singh, J)

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