

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.4129 of 2023

Arising Out of PS. Case No.-53 Year-2023 Thana- TISIAUTA District- Vaishali

Sitaram Ray Son Of Late Janak Ray R/O Vill - Shahpur, P.S. - Tisiauta, Distt.
- Vaishali

... .. Appellant/s

Versus

1. The State of Bihar
2. Rinki Paswan Wife of Raushan Kumar Chaudhary R/o vill and P.O. -
Shahpur, P.S. - Tisiauta, Distt. - Vaishali

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Shivjee Singh

For the Respondent/s : Mr. Sadanand Paswan

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 09-11-2023 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 18.08.2023 passed by

learned Exclusive Special Judge (SC/ST) Act, Vaishali

whereby the prayer for bail of the appellant in connection

with Tisiauta P.S. Case no. 53 of 2023 under Sections

341, 323, 354, 379, 504, 506/34 of the Indian Penal

Code and sections 3(i)(r)(s) of SC/ST Act was rejected.

3. Allegation against the appellant is the he

along with other co-accused persons confined the



informant's husband and when the informant reached at the spot, appellant abused her by taking her caste name and outraged her modesty.

4. It is submitted by learned counsel for the appellant that appellant has been falsely implicated in this case. There is inordinate delay of 4 days in lodging the F.I.R. The appellant 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. Moreover, the appellant is languishing in judicial custody since 01.08.2023.

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 18.08.2023 is hereby set aside.

7. The appellant is directed to be enlarged on bail



in connection with Tisiauta P.S. Case No. 53 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 Exclusive Special Judge SC/ST
Act, Vaishali, Hajipur.

(Sunil Kumar Panwar, J)

Nirajkrs/-

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