

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.3617 of 2022

Arising Out of PS. Case No.-49 Year-2022 Thana- MAHILA P.S. District- Patna

PAWAN KUMAR @ PAVAN KUMAR S/O ARUN YADAV Resident of
village- Meghani Bigha, P.S.- Kadirganj, District- Patna.

... .. Appellant/s

Versus

1. The State of Bihar
2. X D/O AWADHESH PASWAN Resident of Village and P.O.- Uttar Serthu,
P.S.- Pali, District- Jehanabad, Presently residing at C/o Nand Kishore
Paswan, Village and Post Katesar, P.S.- Bihta, District- Patna.

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr.Gaurav Singh, Adv.
For the Respondent/s	:	Mr.Sadanand Paswan, APP
		Mr. Prashant Kumar, Adv.
		Mr. Manaur Alam, Adv.

CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL ORDER

5 27-04-2023 Heard learned counsel for the appellant, learned
counsel for the informant and the learned A.P.P. for the State.

This appeal is directed against the order dated
11.08.2022 passed by the learned Exclusive Special Court
(SC/ST) Act, Patna by which the application of the appellant for
anticipatory bail has been rejected in connection with Mahila
P.S. Case No. 49 of 2022 registered under Section 342, 354A,
354B, 376, 506, 509 and 34 of the Indian Penal Code, under
Section 66E and 67 of the I.T. Act and 3(2) (v) of the SC/ST
(POA) Act.

Learned counsel appearing on behalf of the



appellants submits that the appellant is innocent and has falsely been implicated in the instant case. It is also submitted that the First Information Report has been lodged after a delay of six years without any explanation for the delay. Further submission is that the appellant has no criminal antecedent.

Having considered the above facts and circumstances of the case, the order dated 11.08.2022 passed in Mahila P.S. Case No. 49 of 2022 by the learned Exclusive Special Court (SC/ST) Act, Patna is hereby set aside and the above named appellant is directed to be released on bail, in the event of arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing personal bond to the satisfaction of the learned court below in connection with Mahila P.S. Case No. 49 of 2022, subject to the condition as laid down under Section 438(2) of the Cr. P.C.

Accordingly, the appeal stands allowed.

(Arvind Srivastava, J)

anuradha/-

U		T	
---	--	---	--

