

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.3943 of 2022

Arising Out of PS. Case No.-3 Year-2022 Thana- MAHILA P.S. District- Nawada

Manish Singh @ Manish Kumar Son Of Shankar Dayal Singh R/O Vill.-
Jhikatiya, P.S.- Meskaur, Distt.- Nawada

... .. Appellant/s

Versus

1. The State of Bihar
2. Seema Kumari D/O- Vijay Ravidas R/O Vill.- Jhikatiya, P.S.- Meskaur,
Distt.- Nawada

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Birendra Kumar
For the Respondent/s : Mr.Binay Krishna

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 23-03-2023 Heard learned counsel for the appellant and

learned Special P.P for the State.

The appellant has challenged the order dated
15.09.2022 passed by learned Exclusive Special Judge
SC/ST Act, Nawada in connection with Nawada Mahila
P.S. Case No. 03 of 2022 instituted for the offences
punishable under Sections 376, 379/34 of the Indian
Penal Code, and Section 3(i)(xi)(xii) of the SC/ST Act
whereby his prayer for being released on bail has been
rejected.

It is alleged against the appellant that on



promise to marry, he established physical relationship with the informant and when the informant told to marry with her, he denied to marry and adduced the informant by calling caste name.

It is submitted by learned counsel for the appellant that appellant is innocent and he has falsely been implicated in this case. The informant is a major girl and for the alleged occurrence of 11.01.2021 the F.I.R. has been registered on 03.03.2022 without explaining the delay. The informant has given an application to the officer-in-charge, Mahila P.S. Nawada to the effect that the matter has been compromised and she is now not interested to proceed against the appellant. The said application has been annexed as Annexure-2 to the petition. The appellant is in custody since 29.08.2022. A statement has been made in para 3 of the petition that appellant has clean antecedent.

Learned Special P.P appearing on behalf of the State has vehemently opposed the prayer for bail of the



appellant.

Taking into account the aforesaid facts, this Court deems it appropriate to set aside the order dated 15.09.2022 passed by learned Exclusive Special Judge SC/ST Act Nawada in connection with Nawada Mahila P.S. Case No. 03 of 2022.

Accordingly, this appeal is allowed.

The appellant, above named, is directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Judge, SC/ST Act, Nawada in connection with Nawada Mahila P.S. Case No. 03 of 2022.

(Sunil Kumar Panwar, J)

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