

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.4740 of 2023

Arising Out of PS. Case No.-315 Year-2023 Thana- MADANPUR District- Aurangabad

=====

RAGHUPAT SINGH SON OF LATE RAMSAWROOP SINGH RESIDENT
OF VILLAGE- WAR, P.S.- MADANPUR, DISTRICT- AURANGABAD
(BIHAR)

... .. Appellant/s

Versus

1. The State of Bihar
2. GEETA DEVI WIFE OF SANTOSH BHUIYAN RESIDENT OF
VILLAGE- WAR, P.S.- MADANPUR, DISTRICT- AURANGABAD
(BIHAR)

... .. Respondent/s

=====

Appearance :

For the Appellant/s : Mr.Birendra Kumar Singh
For the Respondent/s : Mr.Usha Kumari 1

=====

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 09-11-2023 Heard learned counsel for the appellant and learned
Special Public Prosecutor for the State.

2. The instant appeal has been filed by the appellant against the order dated 21.9.2023 passed by learned Special Judge(SC/ST)-cum-1st Additional District & Sessions Judge, Aurangabad whereby the prayer for bail of the appellant in connection with Madanpur P.S. Case no. 315 of 2023 under Sections 448, 323, 354(B), 504, 342, 376, 511 of the Indian Penal Code and sections 3(i)(r)(s)(w)(i)(ii), 2(va) of SC/ST Act was rejected.

3. According to prosecution case, the appellant is alleged to have attempted to commit rape with the victim/



informant. The informant anyhow escape and lodged the case.

4. It is submitted by learned counsel for the appellant that appellant has been falsely implicated in this case due to dirty village politics. Earlier to the occurrence there was altercation between the informant and appellant regarding paddy seeds was being grazed by cow and due to which, the appellant was made an accused. He has not taken the cast name of the informant in public view as such, no offence is made out under the provisions of the SC/ST Act against him. He has got no criminal antecedent as stated in para-3 of the bail petition. He is languishing in judicial custody since 25.7.2023.

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 21.9.2023 passed in Madanur P.S. Case No. 315 of 2023 is hereby set aside.

7. The appellant is directed to be enlarged on bail in connection with Madanur P.S. Case No. 315 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 Special Judge SC/ST-Cum-1st, Additional Sessions
Judge, Aurangabad.

(Sunil Kumar Panwar, J)

Amandeep/-

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

