

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.4765 of 2023

Arising Out of PS. Case No.-107 Year-2023 Thana- PIPRAHI District- Sheohar

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1. Phula Devi @ Fula Devi W/O Pardhuman Singh Village- Madhubani Kala, Ps. Chiraiyan, Dist. Motihari
 2. Avanish Singh S/O Surendra Singh Village- Madhubani Kala, Ps. Chiraiyan, Dist. Motihari

... .. Appellant/s

Versus

1. The State Of Bihar
2. Satyendra Paswan Late Hiranman Paswan V/o Abhirajpur Bairia, P.S.- Piprahi, District-Sheohar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Nand Gopal Mishra
For the Respondent/s : Mr.Binay Krishna

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 14-12-2023 Heard learned counsel for the appellants and learned Special Public Prosecutor for the State.

2. The instant appeal has been filed by the appellants against the order dated 19.07.2023 passed by learned Additional District and Sessions Judge-cum-Special Judge, Sheohar, whereby the prayer for bail of the appellants in connection with Piprahi P.S. Case No. 107 of 2023 under Sections 363, 366A, 34 of the Indian Penal Code and Section 3(2)(va) of the SC/ST Act was rejected.

3. The allegation against the appellants along with others is of abducting the minor daughter of the informant an



sold her for the purpose of illegal work.

4. It is submitted by learned counsel for the appellants that appellants have been falsely implicated in this case. There is general and omnibus allegation against the appellants. The victim girl has been recovered and her statement has been recorded u/s 164 of the Cr.P.C. in which she does not whisper about the complicity of the appellants. They have 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. The appellants have no intention to disgrace the image of the informant in public view. He further submitted that the others co-accused have already been granted bail by this Bench vide order dated 09.11.2023 passed in Cr. APP(SJ) No. 4542 of 2023. They are languishing in judicial custody since 27.05.2023.

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, the Court is inclined to allow this appeal. Accordingly, the appeal is allowed and the impugned order dated 19.07.2023 arising out of Piprahi P.S. Case No. 107 of 2023 is hereby set aside.

7. The appellants are directed to be enlarged on bail in



connection with Piprahi P.S. Case No. 107 of 2023 on
furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only)
each with two sureties of the like amount each to the satisfaction
of the learned Special Judge, Sheohar.

(Sunil Kumar Panwar, J)

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