

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.8 of 2023**

Arising Out of PS. Case No.-80 Year-2022 Thana- MAHILA PS District- Gaya

Triloki Chauhan @ Trilok Dhari Chauhan S/O Late Kullu Chauhan Resident
Of Village- Neema, P.S.- Muffasil, District- Gaya.

... .. Appellant/s

Versus

1. The State of Bihar
2. Babita Devi W/O Anil Das Resident Of Village- Neema, P.S.- Muffasil,
District- Gaya.

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Braj Nandan Kumar Tiwary
For the Respondent/s : Mr.Usha Kumari I

**CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER**

2 16-03-2023 Heard learned counsel for the appellant,

informant and learned Special P.P for the State.

The appellant has challenged the order dated 11.11.2022 passed by learned Special Judge, SC/ST, Gaya in connection with Mahila P.S. Case No. 80 of 2022 instituted for the offences punishable under Sections 376, 341, 354(D)/34 of the Indian Penal Code, Sections 67, 67(A) of the I.T. Act and Sections 3(1)(r)(s)(w)(i), 3(2)(v-a) of the SC & ST (Prevention of Atrocities) Act whereby his prayer for being released on bail has been rejected.



The prosecution case as per F.I.R is that obscene pictures and videos of the informant was taken by co-accused Deepu Chauhan and while the informant was going to lodge the F.I.R, the appellant and one Shambhu Chauhan obstructed her to lodge the F.I.R.

It is submitted by learned counsel for the appellant that appellant is innocent and he has falsely been implicated in this case. The thrust of accusation is against Deepu Chauhan. There is general and omnibus allegation against the appellant. The appellant is in custody since 16.09.2022. A statement has been made in para 3 of the petition that appellant has no criminal 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 11.11.2022 passed by learned Special Judge, SC/ST,



Gaya in connection with Mahila P.S. Case No. 80 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 Special Judge, SC/ST, Gaya in connection with Mahila P.S. Case No. 80 of 2022.

(Sunil Kumar Panwar, J)

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