

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.227 of 2023

Arising Out of PS. Case No.-822 Year-2022 Thana- NAGAR District- Vaishali

Arvind Kumar Son Of Gaya Rai Resident Of Village - Darbesa, P.S.- Sonpur,
Dist.- Saran.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Nityanand

For the Respondent/s : Mr.Binay Krishna

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 27-07-2023 Heard learned counsel for the appellant and

learned Special P.P for the State.

The appellant has challenged the order dated
13.12.2022 passed by learned Special Judge SC/ST Act,
Vaishali at Hajipur in connection with Hajipur Town P.S.
Case No. 822 of 2022 instituted for the offences
punishable under Sections 376, 511, 354(A), 354(B),
506 of the Indian Penal Code and Sections 3(1)(w)(i)(ii)
of the SC/ST Act whereby his prayer for being released
on bail has been rejected.

It is alleged against the appellant that he
outraged the modesty of the informant, made an



attempt to ravish her and assaulted and abused her by calling her caste name.

It is submitted by learned counsel for the appellant that appellant is innocent and he has falsely been implicated in this case. For the alleged occurrence of 23.10.2022, the F.I.R was registered on 01.11.2022 without explaining the delay. Moreover, the informant in her deposition has not supported the case of the prosecution as against the appellant. The certified copy of the deposition is annexed as Annexure-2 to the supplementary affidavit. The appellant is in custody since 27.11.2022. A statement has been made in para 3 of the petition that appellant has clean antecedent.

Learned counsel appearing on behalf of the informant and learned Special P.P appearing on behalf of the State have 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



13.12.2022.

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, Vaishali at Hajipur in connection with Hajipur Town P.S. Case No. 822 of 2022.

(Sunil Kumar Panwar, J)

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