

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1012 of 2024

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

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Sima Devi Wife of Lakkhindar Singh Resident of Village- Madhubani Kala,
P.S.- Chiraiya, District- Motihari

... .. Appellant/s

Versus

1. The State of Bihar
2. Satyendra Paswan Son of Late Hiranman Paswan Resident of Village-
Abhirajpur Bairiya, P.S.- Piprahi, District- Sheohar

... .. Respondent/s

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Appearance :

For the Appellant/s	:	Mr. Abhishek Kumar, Advocate
For the Respondent/s	:	Mr. Binay Krishna, Special P.P.
	:	Mr. Hemant Ray, Advocate

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CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND
MALVIYA

ORAL ORDER

3 18-04-2024 Let the defect(s) as pointed out by the Stamp Reporter
be ignored.

2. Heard learned counsel for the appellant and learned
counsel for the Special P.P.

3. The appellant has preferred the present appeal filed
under Section 14(A)(2) of the Scheduled Castes & Scheduled
Tribes (Prevention of Atrocities) Act, 1989 against the order
dated 09.01.2024 passed by learned Additional District &
Sessions Judge-cum-Special Judge, SC/ST Act, Sheohar in
Piprahi P.S. Case No. 107 of 2023 instituted for an offences
punishable under Sections 363 and 366(A)/34 of the Indian
Penal Code and Sections 3(2)(v) of the SC/ST Act by which the



appellant's prayer for bail was rejected.

4. Allegation against the appellant along with other co-accused persons is that they abducted the daughter of the informant for the purpose of marriage.

5. Learned counsel for the appellant submits that the appellant has falsely been implicated in this case due to dirty village politics at the instance of her hidden enemies. He next submits that the statement of the daughter of the informant was recorded under section 164 of the Cr.P.C. wherein she has not taken the name of the appellant. He next submits that similarly situated co-accused persons have already been granted bail by this Court in Cr. Appeal (SJ) No. 3821 of 2023, 4542 of 2023 and 4765 of 2023 and appellant has got clean antecedent as stated in para-3 of the petitioner and he is in custody since 16.12.2023.

6. The learned Special P.P. opposed the prayer for bail of the appellant.

7. Having heard learned counsel for the parties and taking into consideration, this court is inclined to allow this appeal. Accordingly, the appeal is allowed and the impugned order dated 09.01.2024 is hereby set aside.

8. The appellant is directed to be released on bail in



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

(Ramesh Chand Malviya, J)

Brajesh Kumar/-

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