

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No. 4230 of 2023

Arising Out of PS. Case No.-314 Year-2022 Thana- RIGA District- Sitamarhi

SATYAM SAURABH S/o Jitendra Singh Resident of Village-Chiutahan Ward No. 8, P.S.-Rangardhwa, District-East Champaran as per Police Diary resident of Village-Chandmari, P.S.-Motihari (Town, District-East Champaran.

... .. Appellant/s

Versus

1. The State Of Bihar
2. Nirmala Devi W/O Late Anantlal Paswan @ Hajari Paswan Resident Of Village-Riga Tole Yogwena, Ward No. 12, P.S.-Riga, District-Sitmarhi.

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Bhaskar Shankar
For the Respondent/s : Mr.Binay Krishna

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

4 11-01-2024 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 11.08.2023 passed by learned 1st Additional Sessions Judge, Sitamarhi whereby the prayer for bail of the appellant in connection with Riga P.S. Case no. 314 of 2022 under Sections 366 (A) and 34 of the Indian Penal Code.

3. As per F.I.R., the allegation against the appellant along with other accused persons is that they abducted the informant's daughter for marriage or sale purpose .

4. It is submitted by learned counsel for the appellant that appellant is innocent and has been falsely implicated in this case. The F.I.R. has been lodged after the inordinate delay of 20



days. The victim girl was recovered and her statement was recorded u/s 164 of the Cr.P.C. wherein she has specifically stated she had love affair with the appellant and on the pretext of marriage they established physical relationship. The victim is aged about 23 years. It seems to be a consensual relationship between them. The appellant has got no criminal antecedent and languishing in judicial custody since 13.03.2023.

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 11.08.2023 is hereby set aside.

7. The appellant is directed to be enlarged on bail in connection with Riga P.S. Case No. 314 of 2022 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 1st Additional Sessions Judge, Sitmarhi.

(Sunil Kumar Panwar, J)

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