

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.5058 of 2023

Arising Out of PS. Case No.-275 Year-2023 Thana- KUMAR KHAND District- Madhepura

Chunnu Singh Son Of Sri Niranjan Singh @ Niranjan Prasad Singh Village
Vishanpur Kodlahi Ward No 06 Ps Kumarkhand District Madhepura

... .. Appellant/s

Versus

1. The State of Bihar
2. Anita Devi W/o Raj Kumar Paswan R/o vill - Kodlahi Vishanpur, ward no. 06, P.S. - Kumarkhand, Distt. - madhepura

... .. Respondent/s

Appearance :

For the Appellant/s : Kumari Rashmi
For the Respondent/s : Mr.Binay Krishna

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 12-01-2024 Heard learned counsel for the appellant, learned
Special Public Prosecutor for the State.

2. The instant appeal has been filed by the appellant against the order dated 17.08.2023 passed by learned Additional District & Sessions Judge-I-cum-Special Judge, Madhepura whereby the prayer for bail of the appellant in connection with Kumarkhand P.S. Case no. 275 of 2023 under Sections 341, 323, 435, 504, 506 of the Indian Penal Code and sections 3(i)(r) (s) of SC/ST Act was rejected.

3. As per allegation in the FIR, in absence of the informant's husband, with a view to tease and torture the informant, appellant lit the fire wood, which was kept in her



cattle shed as a result of entire cow-shed turned into ash. When the informant saw the appellant, he abused her by taking her cast name and fled away from the place of occurrence.

4. It is submitted by learned counsel for the appellant that appellant has been falsely implicated in this case due to previous land dispute. There is delay of three days in lodging the FIR without explanation. No one is the eye witness of the present occurrence. No human has received burn injury. He has not taken the cast name of the informant in public view. No offence is made out under the provisions of the SC/ST Act against them. Appellant is languishing in judicial custody since 17.8.2023.

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 17.08.2023 is hereby set aside.

The appellant is directed to be enlarged on bail in connection with Kumarkhand P.S. Case No. 275 of 2023 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 Additional District & Sessions Judge-I-cum-Special
Judge, Madhepura.

(Sunil Kumar Panwar, J)

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