

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.5440 of 2023

Arising Out of PS. Case No.-253 Year-2023 Thana- LADANIA District- Madhubani

Sunil Kumar Singh Son Of Late Jageshwar Singh R/O Village- Sukki, P.S.-
Khajauli, Dist.- Madhubani

... .. Appellant/s

Versus

1. The State of Bihar
2. Arti Kumari D/O Mithlesh Paswan R/O Village- Gobrahi Bhairav Nagar,
P.S.- Jaynagar, Dist.- Madhubani

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Shailendra Kumar Jha
For the Respondent/s : Mrs.Usha Kumari 1

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 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 16.10.2023 passed by learned Ist Additional Sessions Judge-cum-Special Judge, Madhubani whereby the prayer for bail of the appellant in connection with Ladaniya P.S. Case no. 253 of 2023 under Sections 341, 323, 354(B), 504, 506 of the Indian Penal Code and sections 3(i)(r)(s) (wi), 3(2) (va) of SC/ST Act was rejected.

3. Allegation against the appellant is that he teased the informant's daughter when her father came to save her then this appellant assaulted him by means of rod on his leg



due to which he sustained injury.

4. It is submitted by learned counsel for the appellant that appellant has been falsely implicated in this case due to village politics. He has not taken the caste name of the informant in public view. No offence is made out under the provisions of the SC/ST Act against him. It is further submitted from para-8 of this petition that the father of the victim/respondent No.2 lodged earlier a case against this appellant vide P.S. Case No. 61 of 2023 dated 21.08.2023 and in support of this Annexure-2 has been annexed in this application. This case was lodged by O.P. No.2 only to harass appellant. Moreover, the appellant is languishing in judicial custody since 25.09.2023.

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 16.10.2023 is hereby set aside.

7. The appellant is directed to be enlarged on bail in connection with Ladaniya P.S. Case No. 253 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 Ist Additional Sessions Judge-cum-Special Judge,
Madhubani.

(Sunil Kumar Panwar, J)

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