

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.402 of 2024

Arising Out of PS. Case No.-156 Year-2023 Thana- MANSAHI District- Katihar

Md Jahangir @ Jahangir Alam @ Alamgir Son of Md. Majahrul @ Md. Najrul Haque @ Md. Najrul Huqe Resident of Lahsa, Kuraitha, P.S.-Mansahi, Distt.-Katihar

... .. Appellant/s

Versus

1. The State of Bihar
2. Sulekha Devi W/O- Anil Uraon R/O- Lahasa, P.S. Mansahi, Distt- Katihar

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr. Sanjeev Kumar Singh, Advocate
For the Respondent/s	:	Mr. Sadanand Paswan, APP
For informant	:	Mr. Ravindra Kr Sinha No. 2 , Advocate

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

5 04-09-2025

Heard learned counsel for the parties.

2. This appeal has been filed for setting aside order dated 29.11.2023 passed in a case registered for the offence punishable under sections 341,323,354,504,506/34 of the IPC. and 3(i)((r)(s) SC/ST Act, whereby prayer for bail of the appellant has been rejected.

3 . The prosecution case in brief, is that, informant namely , Sulekha Devi alleged that on 01.07.2023 , when she was in her house, then this appellant came there and showed objectionable photo of the informant in his mobile and asked informant to talk with him, otherwise he would make the aforesaid photo viral on internet from his mobile . It is further



alleged that again on 07.09.2023 , when informant along with her husband was going to market then this appellant abused informant by caste name and demanded Rs. one lakh and told that if money will not be paid to him then he would make the photograph of informant viral on social media .

4. It is submitted that the appellant is innocent and has committed no offense as alleged. Informant is not an eyewitness to the alleged occurrence . As a matter of fact, the alleged occurrence took place on 01.07.2023 and the present F.I.R. lodged on 20.09.2023 after delay of more than 2 months for which there is no plausible explanation, which itself creates doubt over the veracity of the prosecution case. It is not the case of the informant that any member of the public was present at the place of the incident; as such, no offense under the SC/ST Act is made out against the appellant. Appellant claims clean antecedent.

5 . Learned special Public Prosecutor for the State as well as learned counsel for the respondent No. 2 opposed the bail appeal.

6. Considering the aforesaid facts, this appeal is allowed and the impugned order is set aside. Let the appellant, named above, in the event of arrest/surrender within a period of



eight weeks from the date of receipt/production of a copy of this order, be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned A.D.J.-1 cum Special Judge SC/ST Katihar in connection with Mansahi Police Station Case No. 156 of 2023 .

(Prabhat Kumar Singh, J)

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