

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.581 of 2025

Arising Out of PS. Case No.-6 Year-2024 Thana- MAHESHKHUNT District- Khagaria

Shravan Kumar @ Rocky Son of Rajendra Mandal @ Najju Mandal village-
Dharampur Banni PS -Maheskhunt District -Khagaria Bihar

... .. Appellant/s

Versus

1. The State of Bihar
2. Sunita Devi W/o- Sunil Das R/o- Samaspur, Ward no. - 03, P.S.-
Maheshkhunt, Dist.- Khagaria, Pincode- 851213

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr. Dhananjay Kumar, Advocate Mr. Aditya Vikram, Advocate Ms. Priya, Advocate
For the Respondent/s	:	Mrs. Usha Kumari 1, SPP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

5 15-05-2025 Heard learned counsel for the appellant, learned

Special Public Prosecutor for the State and perused the case

diary.

2. The instant appeal has been filed by the appellant
against the order dated 27.01.2025 passed by Learned
Additional Sessions Judge First-cum-Special Judge, (SC/ST),
Khagaria whereby the prayer for bail of the appellant in
connection with Maheskhut P.S. Case No. 06 of 2024 under
Sections 363, 366-A, 34 of the Indian Penal Code, read with
Sections 3(i)(r), 3(i)(s) of SC/ST Act was rejected.



3. Prosecution case, in short, is that, the appellant along with other co-accused persons abducted informant's daughter under a conspiracy of marriage. It is further alleged that when the informant confronted them, they allegedly used caste based slurs and fled after engaging in physical violence.

4. Learned counsel for the appellant submits that the appellant is innocent and has falsely been implicated in the present case. Charge-sheet has been submitted in this case. Learned counsel for the appellant also submits that the allegation levelled against the appellant is general and omnibus in nature. The victim in her statement recorded under Section 164 of Cr.P.C. has not alleged anything against the appellant. Victim and the appellant have already solemnized marriage and are leading a peaceful conjugal life. Learned counsel for the appellant further submits that the appellant has not taken the caste name of the informant in public view. Hence, no offence under the provisions of SC/ST Act is made out against him. The appellant has no intention to disgrace the image of the informant in public view. The appellant has surrendered before the Court below on 07.01.2025 and has got no criminal antecedent.

5. Learned Special P.P. for the State has vehemently opposed the prayer for grant of bail to the appellant.



6. Considering the aforesaid facts and circumstances of the case and the period of custody undergone by the appellant, this Court is inclined to allow this appeal. Accordingly, the appeal is allowed and order dated 27.01.2025 passed by Learned Additional Sessions Judge First-cum-Special Judge, (SC/ST), Khagaria is hereby set aside.

7. Let the appellant be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Maheskhut P.S. Case No. 06 of 2024.

(Rudra Prakash Mishra, J)

Rajorshi/-

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