

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.5593 of 2024

Arising Out of PS. Case No.-53 Year-2024 Thana- SHEIKHOPUR SARAI District-
Sheikhpura

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1. Manish Kumar @ Mani Kumar son of Mado Singh @ Madan Gopal @ Munchun Singh Resident of Village -Sadikpur PS -Shekhopur Sarai District -Sheikhpura
 2. Pulkit Kumar son of Chunchun Singh Resident of Village -Sadikpur PS -Shekhopur Sarai District -Sheikhpura
 3. Shuvam Kumar son of Mithlesh Kumar @ Tantan Singh Resident of Village -Sadikpur PS -Shekhopur Sarai District -Sheikhpura

... .. Appellant/s

Versus

1. The State of Bihar
2. Tetri Devi Wife of Arbind Paswan village- Kanhauli, Ps- Jay rampur, dist- Sheikhpura

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Neeraj Kumar
For the Respondent/s : Ms. Usha Kumari 1

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 14-02-2025 1. Heard the learned counsel for the appellants and
the learned Special Public Prosecutor for the State.

2. The appellants have challenged the order dated 26.11.2024 passed by the learned Additional Sessions Judge-1st-cum-Special Judge of SC/ST Act, Sheikhpura in connection with Shekopur Sarai P. S. Case No.53 of 2024, instituted for the offences under Sections 341, 323, 324, 307, 354(B), 504 and 506/34 of the Indian Penal Code and Section 3(1)(r)(s)(w) 3(2) (5) of the Scheduled Castes & Scheduled Tribes (Prevention of Atrocities) Act, whereby their prayer for grant of bail has been



rejected.

3. The learned counsel for the appellants submits that appellants are persons with clean antecedent and the informant alleges that she had come to her parental home and on 20.04.2024 had gone to see Chaiti Durga Puja along with her family members, when at 1.00 A.M., the accused persons including the appellants came in a drunken condition and started acting inappropriately with her. On Protest, the accused persons forcefully started dragging her towards the field. On alarm, her nephew Raja came to save her when he was also assaulted by knife by the accused persons causing 4-5 injuries on head and even assaulted the informant and when villagers started gathering, the accused fled and injured were taken to P.H.C. for treatment.

4. The learned counsel for the appellants submits that from perusal of the allegation as alleged in the FIR, it would manifest that no specific allegation is alleged against the appellants. It is further alleged that all appellants are in the age group of 20 years and appellant no.1 is a sports person as would manifest from Annexure-3 series to the appeal. It is also submitted that appellants are in custody since 14.11.2024 and the charge-sheet has been submitted as such, no useful purpose



would be served by keeping the appellants behind bar.

5. The learned Special P. P. opposes the bail application.

6. Regard being had to the aforesaid submissions, the order dated 26.11.2024 is set-aside.

7. The appeal stands allowed.

8. The appellants, above-named, are directed to be released on bail on their furnishing bail-bonds in the sum of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-1st-cum-Special Judge of SC/ST Act, Sheikhpura in connection with Shekopur Sarai P. S. Case No.53 of 2024.

9. However, in the event, if the learned trial Court comes to a conclusion that the appellants after their release are trying to delay the trial in any manner, the learned trial Court shall forthwith cancel their bail bonds after recording reasons and shall take all coercive steps to ensure that appellants are behind bar.

(Satyavrat Verma, J)

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