

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1661 of 2019

Arising Out of PS. Case No.-924 Year-2018 Thana- BETTIAH CITY District- West
Champaran

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1. FATMA KHATOON @ FATIMA KHATOON @ BABY D/O Abdul Haque Ansari, Resident of Mohalla- Piuni Bagh (Baswariya), Ward No. 32, Police Station- Bettiah (Town), District- West Champaran.
 2. Noor Jahan Praveen @ Rani, D/O Abdul Haque Ansari, Resident of Mohalla- Piuni Bagh (Baswariya), Ward No. 32, Police Station- Bettiah (Town), District- West Champaran.
 3. Shahjahan Khatoon @ Lali D/O Abdul Haque Ansari, Resident of Mohalla- Piuni Bagh (Baswariya), Ward No. 32, Police Station- Bettiah (Town), District- West Champaran.
 4. Gulabasa Praveen @ Tabinda D/O Abdul Haque Ansari, Resident of Mohalla- Piuni Bagh (Baswariya), Ward No. 32, Police Station- Bettiah (Town), District- West Champaran.
 5. Roshni Khatoon D/O Abdul Haque Ansari, Resident of Mohalla- Piuni Bagh (Baswariya), Ward No. 32, Police Station- Bettiah (Town), District- West Champaran.
 6. Mumtaz Begum, Wife of Abdul Haque Ansari, Resident of Mohalla- Piuni Bagh (Baswariya), Ward No. 32, Police Station- Bettiah (Town), District- West Champaran.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Aditya Nath Jha
For the Respondent/s : Mr.Binay Krishna

CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA JAISWAL

ORAL ORDER

3 10-07-2019 Heard learned counsel for the appellants and learned
Spl. PP for the State.

This is an appeal under Section 14(A)(2) of the SC/ST
Act against the refusal of prayer for anticipatory bail vide order
dated 27.03.2019 passed by learned 1st Addl. Sessions Judge
cum Special Judge, West Champaran, Bettiah in Bettiah Nagar



P.S. Case No. 924 of 2018 registered under Sections 341, 323 and 504/34 of the Indian Penal Code, Section 3(ii)(va) of the SC/ST Act and Section 3/4 of the Dyne Act.

Appellants are said to have slated the mother of the informant in the name of her caste branding her as dyne while she was regressing from Anganbari Centre. Two other named and four unknown miscreants are said to have assaulted the informant, his mother and daughter.

It is submitted by learned counsel for the appellants that no such occurrence as alleged ever took place. Appellants have been falsely implicated in the case over petty dispute of dumping garbage. The allegation of slating the informant in the name of her caste levelled against the appellants is not specific rather general and omnibus in nature. All the appellants happen to be ladies and they were not present at the place of occurrence at the time of occurrence rather they were present inside the house and were engaged in household work. There is no allegation of assault against them. They have no criminal antecedent.

Learned Spl. PP for the State opposed the prayer for bail.

Having regard to the facts and circumstances of the



case, let the above named appellants, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of the learned 1st Addl. Sessions Judge cum Special Judge, West Champaran, Bettiah in Bettiah Nagar P.S. Case No. 924 of 2018, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

Accordingly, the impugned order is set aside and appeal is allowed.

(Prakash Chandra Jaiswal, J)

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