

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1905 of 2019**

Arising Out of PS. Case No.-15 Year-2019 Thana- SC/ST District- Patna

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DR. SANGEETA GUPTA Wife of Dr. Gaurav Gupta Resident of Flat No. 2A,
Gulmohar Green, Vijay Singh Yadav Path, P.S.- Danapur, Distt - Patna.

... .. Appellant/s

Versus

THE STATE OF BIHAR

... .. Respondent/s

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Appearance :

For the Appellant/s : Mr. Anjani Kumar Jha

For the Respondent/s : Mr. Usha Kumari 1

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**CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL**

ORAL ORDER

3 08-07-2019 Heard learned counsel for the appellant and learned
Spl. PP for the State.

The appellant seeks pre-arrest bail in a case registered under Sections 341, 342, 114, 504 and 506/34 of the Indian Penal Code and Section 3(1)(r)(s) / 3(2)(va) of the SC/ST Act.

At the instigation of the appellant, her husband entering into the chamber of the informant slated him in the name of his caste and tried to assault him. When he came out of his chamber to save his life, he gave him chase and extended threatening.

It is submitted by learned counsel for the appellant



that the appellant has no concern with the aforesaid occurrence. She has been falsely implicated in the case due to ulterior motive. There is no specific allegation of slating the informant in the name of his caste and assaulting him against the appellant. Moreover slating the informant in the name of his caste at the hand of the husband of the appellant is not made in public view rather in the chamber of the informant which is a closed place. Informant has not sustained any injury in the occurrence. Hence no offence under SC/ST Act is made out against the appellant. Appellant happens to be lady and she has 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 appellant, be released on bail, in the event of her 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) with two sureties of the like amount each to the satisfaction of the learned Special Judge, SC/ST, Patna in connection with SC/ST P.S. Case No. 15 of 2019, Special Case No. 154 of 2019, 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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