

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.2928 of 2019

Arising Out of PS. Case No.-537 Year-2017 Thana- FATUA District- Patna

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MAHA DEVI @ MAHABA DEVI Wife of Ram Chandra Rai @ Chanro Rai
Resident of Village - Maksudpur, P.S.- Fatuha, District- Patna

... .. Appellant/s

Versus

THE STATE OF BIHAR.

... .. Respondent/s

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Appearance :

For the Appellant/s : Mr.Anirudh Kumar Singh
For the Respondent/s : Mr.Binay Krishna

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

ORAL ORDER

3 30-07-2019 Heard learned counsel for the appellant and learned
Special Public Prosecutor for the State.

This is an appeal under Section 14 (A) (2) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 (hereinafter referred to as the “SC/ST Act”) against the refusal of prayer for anticipatory bail vide order dated 20.02.2019 passed by learned Special Judge, SC/ST Act, Patna in connection with Fatuha P.S. Case No. 537 of 2017, registered under Sections 341, 323, 379, 504 of the Indian Penal Code and also under Section 3 (1) (r) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.

While informant was regressing to her house from the shop, co-accused Jagin Kumar started teasing her and on protest



made by her, he snatched her ear-top and made good his escape slating her on arrival of the people. When mother-in-law of the informant rushed to his house to inquire about the matter he gave her challenge. He also slated the informant in the name of her caste arriving at her house.

It is submitted by the learned counsel for the appellant that the appellant has no concern with the aforesaid occurrence. She has been falsely implicated in this case merely because she happens to be mother of Jagin Kumar. There is no any sort of allegation against the appellant in the written report. She happens to be lady having no criminal antecedent.

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

In the facts and circumstances of the case, the above named appellant is directed to be enlarged on bail in the event of her arrest or surrender before the learned Court below within a period of four weeks from today on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge, SC/ST (POA) Act, Patna in connection with Fatuha P.S. Case No. 537 of 2017, subject to 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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