

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.3009 of 2019**

Arising Out of PS. Case No.-9 Year-2019 Thana- ANTI District- Gaya

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SHANTI DEVI Wife of Kamlesh Ram Resident of Village and P.S.- Anti and
District- Gaya.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

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Appearance :

For the Appellant/s : Mr.Bhola Kumar

For the Respondent/s : Mr.Sadanand Paswan

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

ORAL ORDER

2 25-07-2019 Heard learned counsel for the appellant 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 20.06.2019 passed by learned Special Exclusive Judge,
SC/ST Act, Gaya in Anti P.S. Case No. 9 of 2019 registered
under Sections 147, 149, 341, 323, 504, 506 and 509 of the
Indian Penal Code and Section 3(1)(r), 3(1)(s) of the SC/ST Act.

Appellant along with four other named accused
persons are said to have slated the informant and her family



members in the name of their caste and also assaulted them.

It is submitted by learned counsel for the appellant that no such occurrence as alleged ever took place. As a matter of fact, nephew of the appellant has lodged Anti P.S. Case No. 8 of 2019 against the informant and others and in order to save skin from the said case informant has lodged this false and frivolous case against the appellant maliciously. The allegation levelled against the appellant is not specific rather general and omnibus in nature. Weapon used in the assault has not been adumbrated in the written report. There is property dispute between the parties. Appellant is old aged 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 Exclusive Judge, SC/ST, Gaya in connection with Anti P.S. Case No. 9 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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