

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.3514 of 2019**

Arising Out of PS. Case No.-114 Year-2017 Thana- SAMASTIPUR COMPLAINT CASE
District- Samastipur

=====

Sangita Roy @ Sharma D/o Shubhendu Bhushan Resident of Village -
Bangali Tola Ward No.25, National Janch Ghar ke Upar, P.S.- Town, Dist.-
Samastipur.

... .. Appellant/s

Versus

1. The State Of Bihar.
2. Dukhani Devi W/o Parmeshwar Paswan, Resident of Village - Birsingpur,
P.S.- Kalyanpur, Dist.- Samastipur.

... .. Respondent/s

=====

Appearance :

For the Appellant/s : Mr.Bijay Bhushan Prasad, Advocate.
For the Respondent/s : Mrs. Usha Kumari, Spl. P.P.

=====

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

ORAL ORDER

- 3 25-09-2019 Heard learned counsel for the appellant and learned
Spl. P.P. for the State.

This is an appeal under Section 14 (A) (2) of the
Scheduled Castes and Scheduled Tribes (Prevention of
Atrocities) Act against the refusal of prayer of anticipatory bail
vide order dated 07.05.2019 passed by learned Special Judge,
(SC/ST), Act, Samastipur in connection with Complaint Case
No. 114 of 2017, in which cognizance has been taken under
Sections 3 (2) (va), 3 (2) (vii) SC/ST (POA) Act.

Complainant is posted as Anganwari Sahaika, her
honorarium for nine months was due and on demanding the



same, appellant who happens to be supervisor of the Anganwari center demanded graft of rupees nine thousand. On the date of occurrence when the complainant approached the appellant in her office along with her husband and demanded her due honorarium, she slated both complainant and her husband in the name of their caste and extended threatening of sending them on jail.

It is submitted by the learned counsel for the appellant that she has no concerned with the aforesaid occurrence. As a matter of fact, complainant is in habit of filing complaint. She always remains absent from the center and when appellant went to the center for inspection several villagers made complaint against her on her absence from center. Accordingly, she informed the matter to the Village Pariyojana Padadhikari and due to aforesaid grudge the complainant has lodged this case against the appellant with altogether false and concocted allegation. The appellant was not present at the office on the date of occurrence rather had gone to to some other center for inspection. Appellant has no criminal antecedent.

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

In the facts and circumstances, petitioners happens to



be lady, 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 1st Addl. Sessions Judge-cum- Special Judge (SC/ST) Act, Samastipur in connection with Complaint Case No. 114 of 2017, T.R. No. 703 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)

T.Kr./-Sunny
Katyayan

U		T	
---	--	---	--

