

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.3463 of 2019

Arising Out of PS. Case No.-76 Year-2015 Thana- KHAGARIA COMPALINT CASE
District- Khagaria

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Rina Kumari @ Susri Rina Kumari @ Reena Kumari Daughter of Late
Akhileshwari Prasad Yadav Resident of Village- Sahebganj, P.S.- Champa
Nagar, District- Bhagalpur.

... .. Appellant/s

Versus

1. The State Of Bihar
2. Rina Kumari Wife of Bhanu Pratap Resident of Village- Nanhku Mandal
Tola, P.S.- Muffasil, District- Khagaria.

... .. Respondent/s

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Appearance :

For the Appellant/s	:	Mr. K.N. Choubey, Sr. Adv. Mr. Dineshwar Pandey, Adv. Mr. Animesh Kumar, Adv. Mr. Yogendra Kumar Dwiwedi, Adv. Mr. Prashant Kumar
For the Respondent/s	:	Mr. Sadanand Paswan, Spl. P.P.

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

ORAL ORDER

4 13-11-2019 Heard learned counsel for the appellant and learned
Spl. PP for the State.

This is an appeal under Section 14(A)(2) of the
Scheduled Castes and Scheduled Tribes (Prevention of
Atrocities) Act against the refusal of prayer of anticipatory bail
vide order dated 09.07.2019 passed by learned 1st Addl. Sessions
Judge cum Special Judge, SC/ST Act, Khagaria in Complaint
Case No. 76C of 2015 registered under Section 323 of the
Indian Penal Code and Section 3(1)(x) of the Scheduled Castes
and Scheduled Tribes (Prevention of Atrocities) Act.



Appellant is said to have slated the complainant in the name of her caste in the public meeting on demanding proceeding of previous meeting and compliance report.

It is submitted by learned counsel for the appellant that the appellant has no concern with the aforesaid occurrence. As a matter of fact, appellant has filed Khagaria (O.P. Chirnagar) P.S. Case No. 20 of 2015 against the complainant and others preceding to the case under hand, and in order to save skin from the said case, the complainant has lodged this false and frivolous case after inordinate and abnormal delay of 19 days without assigning any plausible and convincing reason for the said delay. Appellant happens to be lady and she has no criminal antecedent.

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

In 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 learned 1st Addl. Sessions Judge cum Special Judge, SC/ST Act, Khagaria in Complaint Case No.



76C of 2015, 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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