

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.58 of 2020

Arising Out of PS. Case No.-679 Year-2018 Thana- SHASTRINAGAR District- Patna

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SEEMA RAJ Wife of Sri Satendra Kumar Resident at Village- Tehta Matth,
P.S.- Makhdumpur, District- Jehanabad.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

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Appearance :

For the Appellant/s : Mr.Kamod Kumar Vidyarthi
For the Respondent/s : Mr.Usha Kumari 1

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 16-12-2020 Due to COVID-19 Pandemic, the matter is being
taken up by way of virtual Court proceeding.

The matter has been listed under the heading “For
Orders” under the orders of Hon’ble the Chief Justice.

Heard the parties.

The matter relates to grant of anticipatory bail to the
appellant in connection with Special Case No. 539 of 2018
arising out of Sastrinagar P.S. Case No. 679 of 2018 registered
for the offences under Sections 448, 323, 504, 506 of the Indian
Penal Code and Sections 3(1)® of the SC/ST Act.

Allegedly, the appellant along with others got opened
the door and entered the house of the informant and calling his
caste name, started assaulting.

It has been submitted on behalf of the appellant that the



appellants have got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the appellant. The appellant has falsely been implicated in the present case. There is general and omnibus allegation. No specific overt act is alleged against the appellant. The alleged occurrence has not taken place within public view. Hence, no offence under the provisions of SC/ST Act is attracted in the present case.

On behalf of the State, it is submitted that the appellant is named in the Complaint Case/F.I.R.

In view of the aforesaid facts and circumstances, the order dated 29-11-2019 passed by learned Additional District & Sessions Judge-XX-cum-Special Judge, SC/ST Act, Patna in Special Case No. 539 of 2018 arising out of Sastrinagar P.S. Case No. 679 of 2018 is set aside. The present Criminal Appeal is *allowed*.

Accordingly, let the appellant, above named, in the event of arrest or surrender before the learned court below within a period of twelve weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional District & Sessions Judge-



XX-cum-Special Judge, SC/ST Act, Patna in connection with
Special Case No. 539 of 2018 arising out of Sastrinagar P.S.
Case No. 679 of 2018.

(Sudhir Singh, J)

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