

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1496 of 2021**

Arising Out of PS. Case No.-6 Year-2020 Thana- SAHODARA District- West Champaran

Musmat Bhulai Devi Wife of Late Mahesh Chaudhary Resident of Banspur,
Pipra, Police Station- Sahodara, District- West Champaran.

... .. Appellant/s

Versus

The State Of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Arbind Kumar Singh
For the Respondent/s : Mr. A.G.

**CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER**

2 28-10-2021 Heard learned counsel for the appellant and

learned APP for the State.

Learned counsel for the appellant is expected to

honour his undertaking given in the instant case for

depositing the requisite court fee and to remove the

defects as pointed out by the office when called upon to

do so by the office.

The appellant has challenged the order dated

15.10.2020 passed by the learned 1st Additional District

Judge-cum-Special Judge(SC/ST), Bettiah, West

Champaran in connection with Sahodara P.S. Case No.

06 of 2020 instituted for the offences under Sections



147, 148, 341, 323, 324, 325, 307, 379, 504, 506 of the Indian Penal Code and Section 3(1)(x) of the SC & ST (Prevention of Atrocities) Act, 1989, whereby the prayer for being released on anticipatory bail has been rejected.

It is alleged that the informant and his father were assaulted and abused by calling caste name by the accused persons including the appellant.

Learned counsel for the appellants submits that the allegation against the appellant is omnibus and general. Moreover, the occurrence has not taken in public view, hence the provisions of the SC/ST Act shall not be attracted. Moreover, the appellant is an old lady aged about 72 years.

Taking into account the aforesaid facts, this Court deems it appropriate to set aside the order dated 15.10.2020. The appeal is hereby allowed.

The appellant, above named is directed to be released on bail in the event of his arrest or surrender



within a period of four weeks from today and on his
furnishing bail bonds of Rs. 10,000/-(ten thousand)
each with two sureties of the like amount each to the
satisfaction of learned 1st Additional District & Sessions
Judge-cum-Special Judge, SC/ST, Bettiah, West
Champaran in connection with Sahodara P.S. Case No.
06 of 2020.

(Sunil Kumar Panwar, J)

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