

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1789 of 2021

Arising Out of PS. Case No.-4 Year-2021 Thana- PIRI BAZAR District- Lakhisarai

Suman Devi Wife Of Bablu Ram Resident Of Village- Keshopur (Bharatpur),
P.S.- Piri Bazar, District- Lakhisarai.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Parmanand Pd. Nr. Sahi- Advocate
For the Respondent/s : Ms. Usha Kumari-1- S.P.P.

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 13-07-2021 Heard Mr. Parmanand Prasad Narayan Sahi, the

learned Advocate for the appellant and Ms. Usha Kumari-1, the

learned Special Public Prosecutor for the State.

The appellants have challenged the order dated
30.01.2021 passed by the learned Additional Sessions
Judge-1st-cum-Special Judge, SC/ST Act, Lakhisarai in
connection with Piri Bazar P. S. Case No.04 of 2021,
instituted for the offences under Sections 341, 323, 379,
354(6), 504 and 506/ 34 of the Indian Penal Code and
Section 3(1)(r)(s), 3(2)(va) of the Scheduled Castes &
Scheduled Tribes (Prevention of Atrocities) Act, 1989,
whereby their prayer for grant of anticipatory bail has been
rejected.

The accusation against the appellant and others is



of assaulting the informant and also abusing him by taking his caste name.

The learned Advocate for the appellant has submitted that the informant has converted to Christianity. Hence, it has been urged, the provisions of SC/ST (POA) Act would not be applicable to the facts of this case so far as the informant is concerned.

Apart from this, it has been submitted that there was some dispute between the parties with respect to the conversion of the informant to a different religion. Vexed and piqued by such protest by the informant and others, the present case has been lodged.

Regard being had to the afore-stated facts, the order dated 30.01.2021, referred to above, is set-aside.

The appeal stands allowed.

The appellant, above-named, in the event of her arrest or surrender before the learned Court below within a period of eight weeks, is directed to be released on bail on her furnishing bail-bonds in the sum of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-1st-cum-Special Judge, SC/ST Act, Lakhisarai in connection with Piri



Bazar P. S. Case No.04 of 2021, subject to the conditions laid
down under Section 438(2) of the Cr.P.C.

(Ashutosh Kumar, J)

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