

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.2040 of 2021

Arising Out of PS. Case No.-111 Year-2020 Thana- SHAHKUND District- Bhagalpur

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Suliya Devi, female, aged about 60 years, W/o Late Sadanand Thakur, R/o
Village- Phulwariya, P.S.- Shahkund, Dist.- Bhagalpur.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

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Appearance :

For the Appellant/s : Mr. Manohar Prasad Singh, Adv.

For the Respondent/s : Mr. Binay Krishna, Spl. P.P.

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR

ORAL ORDER

2 16-07-2021 Heard Mr. Manohar Prasad Singh, the learned

Advocate for the appellant and the learned Special

Public Prosecutor for the State.

The appellant has challenged the order dated
04.11.2020 passed by the learned 3rd Addl. Sessions
Judge-Cum-Special Judge, SC/ST Act, Bhagalpur in
connection with Shahkund P.S. Case No. 111 of 2020,
instituted for the offences under Sections 341, 323, 324,



354, 379, 504, 506 and 34 of the Indian Penal Code and Sections 3(1)(r)(s) and 3(2)(va) of the Scheduled Castes & Scheduled Tribes (Prevention of Atrocities) Act, 1989, whereby her prayer for grant of anticipatory bail has been rejected.

An occurrence took place when the informant had gone to pluck *Barhar* fruits. She and her sister-in-law were assaulted. So far as the appellant is concerned, she is said to have divested the informant of her personal belongings.

It has been submitted on behalf of the appellant that a minor dispute between the two neighbours had been reported. No injury has been caused by anybody but only to wreak vengeance because of the objection raised by the family of the appellant about plucking the fruits from the tree which is standing in their land, this case has been lodged.

Regard being had to the aforesaid submissions, the order dated 04.11.2020, referred to above, is set-aside.



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 3rd Addl. Sessions Judge-Cum-Special Judge, SC/ST Act, Bhagalpur in connection with Shahkund P.S. Case No. 111 of 2020, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

The appeal stands allowed.

(Ashutosh Kumar, J)

Praveen-II/-

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