

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL APPEAL (SJ) No.2062 of 2020**

Arising Out of PS. Case No.-24 Year-2020 Thana- SC/ST District- Gaya

1. Panna Lal @ Sri Panna Lal Ji @ Sir Panna Lal son of late Ramdas Sao Resident of Mohalla- North Gosaibagh Lane, Dhobhi Gali, Tekari Road, Police Station- Kotwali, District- Gaya.
2. KANTI DEVI wife of Panna Lal Resident of Mohalla- North Gosaibagh Lane, Dhobhi Gali, Tekari Road, Police Station- Kotwali, District- Gaya.
3. RAJESH KUMAR son of Panna Lal Resident of Mohalla- North Gosaibagh Lane, Dhobhi Gali, Tekari Road, Police Station- Kotwali, District- Gaya.
4. SUSHMA KUMARI wife of Rajesh Kumar Resident of Mohalla- North Gosaibagh Lane, Dhobhi Gali, Tekari Road, Police Station- Kotwali, District- Gaya.
5. CHANDA DEVI @ CHANDA KUMARI wife of Ramesh Kumar Resident of Mohalla- North Gosaibagh Lane, Dhobhi Gali, Tekari Road, Police Station- Kotwali, District- Gaya.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

**Appearance :**

|                      |   |                              |
|----------------------|---|------------------------------|
| For the Appellant/s  | : | Mr.Gajendra Kumar Singh      |
| For the Respondent/s | : | Mr. Binay Krishna, Spl. P.P. |

**CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH**  
**ORAL ORDER**

2      23-09-2021      Heard learned counsel for the appellants and learned Special P.P. for the State through virtual mode.

Learned counsel for the appellants is directed to remove the defects, as pointed out by the Office, within a period of four weeks after restoration of normalcy.

The appellants have challenged the order dated 19.08.2020 passed by learned Exclusive Special Judge, SC/ST Act, Gaya in ABP No. 113 of 2020 in connection with SC/ST



P.S. Case No. 24 of 2020 registered for the offences under sections 498(A), 504, 506 and 34 of the Indian Penal Code and 3(i)(r)(s) and 3(2)(v-a) of the SC/ST (Prevention of Atrocities) Act whereby the prayer made on behalf of the appellants for grant of anticipatory bail has been rejected.

Prosecution allegation against the accused persons is of committing torture upon the victim due to non-fulfillment of demand of dowry and also abusing by taking caste name.

It has been submitted on behalf of the appellants that the appellants have got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the appellants. The appellants have falsely been implicated in the present case. The appellant No. 1 is father-in-law, appellant No. 2 is mother-in-law, appellant No. 3 is brother-in-law and appellant Nos. 4 and 5 are sisters-in-law, of the victim. They have got no concern with the alleged occurrence. The alleged occurrence has not taken place within public view. Hence, no offence under SC/ST Act is made out in the present case.

On behalf of the State, it is submitted that the appellants are named in the F.I.R.

Considering the aforesaid facts and circumstances, the order dated 19.08.2020 passed by learned Exclusive Special



Judge, SC/ST Act, Gaya in ABP No. 113 of 2020 in connection with SC/ST P.S. Case No. 24 of 2020, is set aside.

The appeal stands allowed.

Let the appellants above named, in the event of arrest/surrender before the learned court below within a period of twelve weeks from today, be released on anticipatory bail on their personal bonds to the satisfaction of learned Exclusive Special Judge, SC/ST Act, Gaya in connection with SC/ST P.S. Case No. 24 of 2020.

Once the normalcy is restored, the appellants shall furnish bail bonds of Rs. 10,000/- (Rupees ten thousand) each with two sureties of the like amount each within a period of eight weeks to the satisfaction of the Court concerned in connection with the aforesaid case.

**(Sudhir Singh, J)**

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