

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.3332 of 2021**

Arising Out of PS. Case No.-91 Year-2021 Thana- MAHNAR District- Vaishali

1. VINA DEVI, W/o Paramahansh Singh @ Pramahansh Kumar Singh
Resident of Village - Chamarhara Naya Tola, P.S.- Mahnar, Distt.- Vaishali
at Hajipur.
2. Jyoti Kumari, D/o Paramahansh Singh @ Pramahansh Kumar Singh
Resident of Village - Chamarhara Naya Tola, P.S.- Mahnar, Distt.- Vaishali
at Hajipur.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Niranjana Parihar- Advocate
For the Respondent/s : Ms. Usha Kumari-1- S.P.P.

**CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER**

2 07-09-2021 Heard Mr. Niranjana Parihar, the learned Advocate for
the appellants and Ms. Usha Kumari-1, the learned Special
Public Prosecutor for the State.

The appellants have challenged the order dated
21.06.2021 passed by the learned 1st Additional Sessions
Judge-cum-Special Judge, Vaishali at Hajipur in connection
with Mahnar P. S. Case No.91 of 2021, instituted for the
offences under Sections 504, 353 of the Indian Penal Code
and Section 3(i)(r)(s) of the Scheduled Castes & Scheduled
Tribes (Prevention of Atrocities) Act, 1989, whereby their
prayer for grant of anticipatory bail has been rejected.

It has been alleged in the F.I.R. that the appellants



have abused and assaulted the members of the prosecution party.

The learned Advocate for the appellants has submitted that an absolutely false case has been lodged against them. They are ladies and are persons of clean antecedents. In fact, they were absolutely unaware why the police had given a domiciliary visit to their house in the dead of night. The informant, it has been submitted, is herself a part of the patrolling party and for the reasons which are not known to the appellants, they have been made accused in this case.

Regard being had to the vague nature of accusation against the appellants and there being nothing on the record to indicate any breach of the provisions of SC/ST (P.O.A.) Act, the order dated 21.06.2021 is set-aside.

The appeal stands allowed.

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



Special Judge, Vaishali at Hajipur in connection with Mahnar P.
S. Case No.91 of 2021, subject to the conditions laid down
under Section 438(2) of the Cr.P.C.

(Ashutosh Kumar, J)

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