

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.907 of 2021**

Arising Out of PS. Case No.-667 Year-2020 Thana- NAWADA District- Nawada

1. SANJU DEVI Wife of Raju Kumar Singh @ Raju Singh Resident of Village- Dobhara Par, P.S.- Bundelkhand O.P., District- Nawada.
2. Rupa Devi Wife of Chhotu Singh Resident of Village- Dobhara Par, P.S.- Bundelkhand O.P., District- Nawada.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr.Ram Prawesh Kumar
For the Respondent/s	:	Spl. P.P.
For the Informant	:	Mr. Sanjay Kumar Singh

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 02-07-2021 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 09.11.2020 passed by learned Additional District and Sessions Judge 1st -cum- Special Judge, Nawadah in ABP No. 855 of 2020 in connection with Nawadah (Bundelkhand) P.S. Case No. 667 of 2020 registered for the offences under sections 447, 448, 341, 323, 354, 379, 504, 506, 34 of the Indian Penal Code and 3(i)(r)(s) of 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, in short, is that the accused persons threw down the informant on earth and tried to outrage her modesty. The family members came in rescue were also assaulted and abused 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 appellants are ladies. Other co-accuseds have already been granted anticipatory bail by this Court. No occurrence is said to have 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 09.11.2020 passed by learned Additional District and Sessions Judge 1st -cum- Special Judge, Nawadah in ABP No. 855 of 2020 in connection with Nawadah (Bundelkhand) P.S. Case No. 667 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 Additional District and Sessions Judge 1st -cum- Special Judge, Nawadah in connection with Nawadah (Bundelkhand) P.S. Case No. 667 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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