

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL APPEAL (SJ) No.394 of 2022**

Arising Out of PS. Case No.-61 Year-2020 Thana- ALOULI District- Khagaria

PUJA KUMARI D/O SURENDRA PRASAD R/o village- Sidhi Ghat, Thana Road, P.S.- Khagaria Town, District- Khagaria, the then Ladies Supervisor Amba Ichaurua Panchayat, P.S.- Alauli, District- Khagaria

... .. Appellant/s

Versus

1. The State of Bihar
2. Hira Devi W/o Ram Kumar Paswan R/o village- Amba, P.S.- Alauli, P.O.- Amba, District- Khagaria, Pin Code- 848203

... .. Respondent/s

**Appearance :**

For the Appellant/s : Mr. Subhash Kumar Jha, Advocate  
For the Respondent/s : Mr. Sadanand Paswan, Spl. PP

**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA**  
**ORAL ORDER**

2      02-11-2022                      Heard learned counsel for the appellant and learned Spl. P.P. for the State.

This is an appeal under Section 14-A(2) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 (hereinafter referred to as the “SC/ST Act”) against the refusal of prayer for **anticipatory bail** vide order dated 11.01.2022 in A.B.P. No. 01 of 2022 passed by the learned Additional Sessions Judge-I-cum-Special Judge S.C./S.T. (POA) Act, Khagaria in connection with Alauli P.S. Case No. 61 of 2020 registered for the offences punishable under Sections 467, 468, 420, 323 and 504 of the Indian Penal Code as well as Sections 3(i)(r) of the SC/ST Act.



Learned counsel for the appellant submits that the appellant is a woman having clean antecedent and the informant alleges that one Sindhu Kumari was selected as Anganwadi Sevika and the appellant being lady supervisor of the *panchayat* was to record the proceeding in the register but the appellant left with the register which was objected by the informant being Ward Member, on which appellant abused as detailed in the FIR and even slapped her.

Learned counsel for the appellant submits that the appellant has been falsely implicated in the present case, it is next submitted that the police after investigation submitted Final Form No. 160 of 2021 dated 10.03.2021 (Annexure-2), it is also submitted that when no material during the course of investigation came even remotely suggesting that appellant was involved in the occurrence then on what basis the cognizance was taken by the learned trial court, it is next submitted that the cognizance are being taken in a mechanical manner.

Learned Spl. P.P. for the State opposes the prayer for anticipatory bail of the appellant.

In view of the submissions made by the learned counsel for the appellant, the order dated 11.01.2022 in A.B.P. No. 01 of 2022 passed by the learned Additional Sessions



Judge-I-cum-Special Judge S.C./S.T. (POA) Act, Khagaria in connection with Alauli P.S. Case No. 61 of 2020 is hereby set aside and the appellant above-named, in the event of her arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 5,000/- (Rupees Five Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Alauli P.S. Case No. 61 of 2020 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

Accordingly the appeal stands allowed.

**(Satyavrat Verma, J)**

Rishi/-

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|

