

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1945 of 2021**

Arising Out of PS. Case No.-49 Year-2020 Thana- MATIYARIA District- West Champaran

Sabina Khatoon wife of Abrar Ansari Resident of Village - Hauda Dumra,
Police station - Matiyaria, District - West Champaran.

... .. Appellant/s

Versus

1. The State of Bihar
2. Sumitra Devi wife of Madan Sah Gond R/O- Sherhawan, P.S.- Matiyariya,
District- West Champaran

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Sachida Nand Rai, Advocate
For the Respondent/s : Mr. Binay Krishna, Spl.P.P

**CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER**

- 3 07-07-2022 Heard learned counsel for the appellant, learned counsel
for respondent no.2 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 (hereinafter in short referred to as the ‘SC/ST Act’) against the refusal of prayer for anticipatory bail vide order dated 22.01.2021, passed by learned 1st Additional District and Sessions Judge cum Special Judge S.C./S.T. Bettiah, District-West Champaran in anticipatory bail petition no.2301 of 2020, in connection with Matiyara P.S. Case No. 49 of 2020 registered for the offences under sections 341, 323, 354(B), 504, 506/34 of the Indian Penal Code and 3(i)(r) of the S.C./S.T. Act.



Allegedly, the she-goat of informant entered into the agricultural land of accused persons upon which the appellant along with the co-accused persons abused her by taking caste name and assaulted her.

Learned Counsel for the appellant submits that appellant is innocent and has been falsely implicated in the present case. No such occurrence as alleged has ever taken place. Learned counsel for the appellant further submits that no offence under SC/ST Act is made out against the appellant. Appellant has no criminal antecedent.

Learned Spl.PP for the State and learned counsel for respondent no.2 opposed the prayer for bail.

Considering the facts and circumstances of the case, as no alleged abused occurred in public view and keeping in view the clean antecedent of the appellant, let the appellant named above, in the event of her arrest or surrender before the learned Court below within a period of six weeks from today, be released on bail on furnishing bail bond of Rs.25,000/- (Rs. Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned 1st Additional District and Sessions Judge cum Special Judge S.C./S.T. Act, Bettiah, District- West Champaran in connection with Matiyaria P.S. Case No. 49 of



2020, subject to the condition as laid down under section 438(2)
of the Cr.P.C.

Accordingly, the impugned order is set aside and this
appeal is allowed.

(Anjani Kumar Sharan, J)

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