

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.978 of 2022

Arising Out of PS. Case No.-133 Year-2020 Thana- AIRPORT District- Patna

=====

GURIYA DEVI W/o Ranjeet Malakar @ Kallu Malakar R/o Mohalla-Sheikhpura Mali Tola neem Ke Pas tenant in the house of Shekhar Singh, P.S.- Hawai Adda (Airport), District- Patna

... .. Appellant/s

Versus

1. THE STATE OF BIHAR
2. Tuntun Kumar S/o Suresh Paswan R/o Mohalla- Sheikhpura Paswan Tola, P.S.- Hawai Adda, District- Patna

... .. Respondent/s

=====

Appearance :

For the Appellant/s : Mr.Bhavesh Kumar
For the Respondent/s : Mr.Sadanand Paswan

=====

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

4 13-10-2022 Learned counsel for the appellant is directed to remove all the defects pointed out by the Stamp Reporter within one month.

Heard learned counsel for the appellant as well as learned counsel for the informant.

This appeal has been preferred on behalf of the appellant under Section 14-A(2) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act for setting aside the order dated 17.02.2022 passed by the learned Special Judge SC/ST Act Patna in A.B.P. No. 886 of 2022 arising out of Hawai Adda P.S. Case No. 133 of 2020, registered for the offences punishable under Sections 341, 323, 324, 307, 379, 504, 506/34 of the Indian Penal Code & Section 3(i)(r)S/3(2)(va) of SC and ST (Prevention of Atrocities) Act, whereby the prayer for anticipatory bail of the appellants has been



rejected.

As per allegation, the present appellant along with other co-accused persons attacked the informant and they also assaulted his brother.

Learned counsel for the appellant has also submitted that the appellant is a lady. She has no criminal antecedent and the injuries suffered by the injured Raja Kumar are simple in nature.

In these circumstances, the provisions of SC/ST Act is not attracted prima facie. As such, the appeal is allowed and the impugned order dated 17.02.2022 passed by the learned Special Judge SC/ST Act Patna is set aside.

Accordingly, in the event of arrest or surrender within four weeks from today, the appellants above-named, shall be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Special Judge SC/ST Act Patna in connection with Hawaii Adda P.S. Case No. 133 of 2020.

Office shall ensure that all defects are removed by the appellant within the stipulated time provided in para-1 hereinabove, failing which the matter shall be brought to the notice of this Court.

(Nawneet Kumar Pandey, J)

kundan/-sonali

U		T	
---	--	---	--

