

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1128 of 2022

Arising Out of PS. Case No.-561 Year-2021 Thana- NARPATGANJ District- Araria

1. GITA DEVI W/o Yogendra Mandal Resident of Village - Madhura West, Gainamandal Tola, Ward no. 2, P.S. - Narpatganj, District - Araria.
2. Ranjana Devi W/o Rajkumar Mandal Resident of Village - Madhura West, Gainamandal Tola, Ward no. 2, P.S. - Narpatganj, District - Araria.
3. Renu Devi W/o Jaiprakash Mandal Resident of Village - Madhura West, Gainamandal Tola, Ward no. 2, P.S. - Narpatganj, District - Araria.
4. Urmila Devi W/o Mohan Mandal Resident of Village - Madhura West, Gainamandal Tola, Ward no. 2, P.S. - Narpatganj, District - Araria.

... .. Appellant/s

Versus

The State of Bihar.

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Vishwajeet Kumar Mishra, Advocate
For the Respondent/s : Mr. Sadanand Paswan, Spl. P.P.

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 14-07-2022 Heard learned counsel for the appellants and learned
Special P.P for the State.

The appellants have challenged the order dated 17.02.2022 passed by the learned 1st Additional Sessions-cum-Special Judge, Araria in connection with Narpatganj P.S. Case No. 561 of 2021 instituted for the offences punishable under Sections 147, 148, 149, 341, 342, 323, 324, 307, 332, 333, 353, 427, 338, 504 and 506 of the Indian Penal Code and Section 3(1)(r)(s) and 3(2)(va) of the SC & ST (Prevention of Atrocities) Act, whereby their prayer for being released on anticipatory bail



has been rejected.

It is a case of creating hindrance to the police officials and other in discharge the official duty of the police raiding party and sustain the injuries inflicted by the co-accused and appellants.

It is submitted by learned counsel for the appellants that appellants have falsely been implicated in this case. There is general and omnibus allegation against the appellants. As per F.I.R, the occurrence has not committed in public view. Hence, the provisions under SC/ST Act would not be applicable in the case of the appellants.

Taking into account the aforesaid facts, this Court deems it appropriate to set aside the order dated 17.02.2022 passed by the learned 1st Additional Sessions-cum-Special Judge, Araria in connection with Narpatganj P.S. Case No. 561 of 2021.

Accordingly, this appeal is allowed.

The appellants, above named are directed to be released on bail in the event of their arrest or surrender within a period of four weeks from today and on his furnishing bail bonds of Rs. 10,000/-(ten thousand) each with two sureties of the like amount each to the satisfaction of learned 1st Additional



Sessions-cum-Special Judge, Araria in connection with
Narpatganj P.S. Case No. 561 of 2021.

(Sunil Kumar Panwar, J)

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