

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.2281 of 2022**

Arising Out of PS. Case No.-160 Year-2018 Thana- BARHIYA District- Lakhisarai

Karuna Devi Wife Of Gopal Rajak R/O Village- Jaitpur, P.S.- Barahiya,
District- Lakhisarai

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Rabi Bhushan

For the Respondent/s : Mr.Binay Krishna

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER**

2 21-09-2022 Heard learned counsel for the appellant and learned
Special Public Prosecutor for the State.

The present memo of appeal has been filed on behalf of the appellants for grant of anticipatory bail against the order dated 07.04.2022 passed by learned 1st Additional District & Sessions Judge-cum-Special Judge, Lakhisarai in connection with Barahiya P.S. Case No. 160 of 2018 under Sections 448, 323, 504, 506, 354 and 34 of the Indian Penal Code and section 3(ii) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989, whereby the prayer for anticipatory bail of the appellants was rejected.

As per the FIR, this appellant along with other co-accused persons entered into the house of informant, abused and assaulted her by means of *lathi* causing injury to her. When her



family members came to rescue they were also assaulted by the accused persons.

It is submitted that appellant was informant of this case and after investigation this FIR has been lodged against this appellant under Section 211 of Indian Penal Code and SC/ST Act. It is next submitted that appellant is herself of SC/ST Caste, so no case under SC/ST Act is made out. Appellant is lady having clean antecedent.

Considering the aforesaid facts, this appeal is allowed. The impugned order dated 07.04.2022 passed by learned 1st Additional District & Sessions Judge-cum-Special Judge, Lakhisarai, is set aside.

Let the appellant above-named, in the event of her arrest/surrender before the court below within a period of six weeks from the date of receipt/production of a copy of this order, be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned 1st Additional Sessions Judge-cum-Special Judge, Lakhisarai in connection with Barahiya P.S. Case No. 160 of 2018.

(Prabhat Kumar Singh, J)

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