

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.3381 of 2021

Arising Out of PS. Case No.-12 Year-2021 Thana- RIVILGANJ District- Saran

1. Gita Devi @ Rita Devi Wife Of Munna Prasad Resident Of Village- Chotaka Baiju Tola Sitab Diyara, Police Station- Revelganj District- Saran At Chapra.
2. Durgawati Devi Wife Of Dinesh Prasad Resident Of Village- Chotaka Baiju Tola Sitab Diyara, Police Station- Revelganj District- Saran At Chapra.
3. Priya Kumari D/O Munna Prasad Resident Of Village- Chotaka Baiju Tola Sitab Diyara, Police Station- Revelganj District- Saran At Chapra.
4. Sapna Kumari D/O Dinesh Prasad Resident Of Village- Chotaka Baiju Tola Sitab Diyara, Police Station- Revelganj District- Saran At Chapra.
5. Sonu Kumar Sah Son Of Dhru Sah Resident Of Village- Chotaka Baiju Tola Sitab Diyara, Police Station- Revelganj District- Saran At Chapra.
6. Chotan Kumar Son Of Munna Prasad Resident Of Village- Chotaka Baiju Tola Sitab Diyara, Police Station- Revelganj District- Saran At Chapra.

... .. Appellant/s

Versus

1. The State of Bihar
2. Bebi Devi Sona Baitha Resident of Village-Chotaka Baiju Tola, Sitabdiara, P.S.-Rivilganj, District-Saran

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr. Harsh Anuj
For the Respondent/s	:	Mr. Sadanand Paswan Mr. Ram Binod Singh

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 01-11-2022 Heard learned counsel for the appellants, respondent no. 2 and learned Special Public Prosecutor 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 bail vide order dated 09.07.2021, passed by learned 1st Additional Sessions Judge-cum-Special Judge SC/ST



(POA) Act, Saran at Chapra in connection with Revilganj P.S. Case No. 12 of 2021, registered under Sections 341, 323, 354(B), 379, 504/34 of the IPC and Sections 3(i) (r) (s) (w) of SC/ST Act.

Learned counsel for the appellants submits that the appellants are innocent and have been falsely implicated in this case due to land dispute. He submits that there is general and omnibus allegation levelled against the appellants. He submits that the occurrence took place on 02.01.2021 but the present FIR has been lodged on 06.01.2021 and there is no explanation for such delay. He submits that the present case is the counter blast of Revilganj P.S. Case No. 11 of 2021 lodged by Rita Devi against the informant and others and with a view to save her neck, the present case has been lodged by the informant on false and fabricated story. He further submits that appellants have no criminal antecedent as stated in para-3 of this appeal.

However, learned Spl. PP for the State and learned counsel for the respondent no. 2 oppose the prayer for bail and submit that there is specific allegation against the appellants to abuse the informant by taking caste name.

Considering the facts and circumstances of the case, let the above named appellants in the event of their arrest



or surrender before the learned Court below within a period of six weeks from today, be enlarged on bail on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned 1st Additional Sessions Judge-cum-Special Judge, SC/ST (POA) Act Saran at Chapra in connection with Revilganj P.S. Case No. 12 of 2021, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

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

(Anjani Kumar Sharan, J)

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