

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.39 of 2021

Arising Out of PS. Case No.-21 Year-2020 Thana- DEWARIA District- Muzaffarpur

1. TUNNI DEVI Wife of Ravindra Pande Resident of Village - Sohansa, P.S. - Deoria, District - Muzaffarpur.
2. DHANNU KUMARI Daughter of Ravindra Pande Resident of Village - Sohansa, P.S. - Deoria, District - Muzaffarpur.
3. SANDHYA KUMARI Daughter of Ravindra Pande Resident of Village - Sohansa, P.S. - Deoria, District - Muzaffarpur.

... .. Appellants.

Versus

The State of Bihar

... .. Respondent.

Appearance :

For the Appellant/s : Mrs. Bela Singh
For the Respondent/s : Mr. Binay Krishna

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 20-01-2022 Heard learned counsel for the appellants and learned Special Public Prosecutor for the State through the virtual Court proceedings.

This is an appeal under Section 14(A)(2) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 (hereinafter in short referred to as the 'SC/ST Act') against the refusal of prayer of anticipatory bail vide order dated 21.09.2020 passed by learned 3rd Additional Sessions Judge cum Special Judge (SC/ST Act), Muzaffarpur in connection with Deoaria P.S. Case No. 21 of 2020 registered under Sections 341, 323, 307, 354 (b) & 504/34 of the Indian



Penal Code and Section 3(1) (r) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.

All the appellants are said to have badly assaulted the family members of the informant. Appellant no.1 injured informant's wife by inflicting knife blow. The reason behind the occurrence is said to be money dispute.

It is submitted by learned counsel for the appellants that the appellants have no concern with the aforesaid occurrence. They have been falsely implicated in the case due to dirty village politics. The allegation of assault levelled against the appellants is not specific rather general and omnibus in nature. There is a case and counter case between the parties. Appellant no.1 has filed Deoria P.S. Case No.22 of 2020 preceding to the case under hand against the present informant. Slating the informant in the name of caste is said to have been made at the house of the appellant and not in public view, hence no offence under SC/ST Act is made out against the appellants. Appellants have no criminal antecedent.

Heard learned counsel for the appellants and perused the case record. *Prima facie*, no offence under SC/ST Act is made out against the appellants, hence there is no need to issue notice to the informant.



Learned Spl. PP for the State opposed the prayer for bail.

In the facts and circumstances of the case, 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 3rd Addl. Sessions Judge cum Special Judge (SC/ST Act), Muzaffarpur in connection with Deoria P.S. Case No.21 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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