

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.4103 of 2021**

Arising Out of PS. Case No.-170 Year-2020 Thana- CHENARI District- Rohtas

1. RINA DEVI W/o Satendra Sah Resident of Village- Chenari Dih, P.S.- Chenari, District- Rohtas.
2. Satendra Sah Son of Mannu Sah Resident of Village- Chenari Dih, P.S.- Chenari, District- Rohtas.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Sanjay Kumar Tiwary, Advocate
For the Respondent/s : Mr. Binay Krishna, SPP

**CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER**

2 30-06-2022 Heard learned counsel for the appellants and learned
Special Public Prosecutor for the State.

The present appeal is directed against the order dated 06.08.2021 passed by learned Additional District and Sessions Judge-I-cum-Special Judge of SC/ST Atrocity Act, Sasaram, Rohtas in a case registered for the offence punishable under Sections 341, 323, 379, 504 and 506 of the Indian Penal Code and Sections 3(1)(r)(s) of the SC/ST Atrocity Act, whereby anticipatory bail of the appellant has been rejected.

Informant went to Chenari Block along with her husband and daughter for making Aadhar card in Aadhar Card center where appellants demanded Rs.1,000/- illegally and due



to non-payment of said amount, they assaulted and used the caste name as well as snatched Rs.320/- from the purse of her husband of the informant.

It is submitted by learned counsel for the appellants that incident as alleged did not occur in public view, hence, the informant was not insulted in public domain and they were not aware of the caste of the informant and there is case and counter case between the parties.

Learned counsel for the State on the other hand opposes the prayer for anticipatory bail.

Having heard learned counsel for the parties and taking into consideration that there is case and counter case between the parties, the Court is inclined to allow this appeal. Accordingly, the instant appeal is allowed and the impugned order dated 06.08.2021 passed in Registered Case No.249 of 2020 is hereby set aside.

The appellants are directed to be enlarged on anticipatory bail in the event of their arrest or surrender before the court below within a period of four weeks on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Additional District and Sessions Judge-I-cum-Special Judge, SC/ST



Atrocity Act, Sasaram, Rohtas in connection with Chenari P.S.
Case No. 170 of 2020.

(Sunil Kumar Panwar, J)

Brajesh Kumar/-

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