

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.4166 of 2021**

Arising Out of PS. Case No.-10 Year-2021 Thana- SC/ST District- Saharsa

ANANDI DEVI MISHRA Wife of Sri Ganesh Mishra Resident of Village -
Mahisi, P.S. - Mahisi, District - Saharsa.

... .. Appellant/s

Versus

1. The State of Bihar
2. Dinesh Kumar Ram S/o of Late Jageshwar Ram Resident of Mohalla -
Krishna Nagar, Batraha, Ward No. 23, P.S. and District - Saharsa.

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Ratan Kumar
For the Respondent/s : Mr.Usha Kumari 1

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

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

The instant appeal has been filed by the appellant against the order dated 07.09.2021 passed by learned Additional District Judge III-cum-Special Judge, Saharsa in ABA No. 181 of 2021 whereby the prayer for bail of the appellant in connection with Saharsa SC/ST P.S. Case no. 10 of 2021 under Sections 504 and 506 of the Indian Penal Code and section 3(i)(r)(s) of SC/ST Act was rejected.

Allegation against the appellant is of abusing the informant by taking his caste name and on protest made by him, three accused persons including the appellant assaulted him by fists and slaps. They have also given threatening of life to him.



It is submitted by learned counsel for the appellant that appellant has been falsely implicated in this case. A complaint case is pending against the informant vide Complaint Case no. 234 of 2021 (Annexure-3) which was filed by the appellant earlier and only with a view to save the skin from that case, the present case with false and concocted story has been filed by the informant against the appellant.

The application for bail is opposed by learned Spl. P.P. for the State.

Having heard learned counsel for the parties and taking into consideration the fact that cognizance has been taken under Section 504 and 506/34 of the Indian Penal Code and Section 3(1)(r) (s) of the SC/ST Act against the appellant after finding the case prima-facie true against him. I do not find it appropriate to grant anticipatory bail to the appellant and, as such, his prayer for anticipatory bail is rejected.

The application stands disposed off.

However, if the appellant surrenders within a period of six weeks and prays for bail, the same shall be considered by the court below keeping in mind that appellant is a lady.

(Sunil Kumar Panwar, J)

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