

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.4586 of 2021

Arising Out of PS. Case No.-141 Year-2017 Thana- SIWAIPATTI District- Muzaffarpur

RAUSHAN KHATOON Wife of Murtuza Resident of Village - Kanti Kothia,
P.S.- Kako, District - Muzaffarpur

... .. Appellant/s

Versus

1. The State of Bihar
2. Bhajju Paswan Son of Late Ram Chandra Paswan Village -Khapar ,P.S-
Minapur,District-Muzaffarpur

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr. Ravi Nandan
For the Respondent/s	:	Mr. Binay Krishna Mr. Umesh Chandra Verma

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 21-12-2022 Heard the parties.

This is an appeal under section 14(A) 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 for anticipatory bail vide order dated 27.05.2020, passed by learned Additional Sessions Judge-IX-cum-Special Judge (SC/ST) Act, Muzaffarpur in connection with Siwai Patti P.S. Case No.141 of 2017, registered under sections 302/120(B)/34 of the IPC and section 27 of Arms Act, later on charge sheet was filed under sections 3(2)(v) of the SC and ST Act.

Allegedly, the son of the informant was shot dead by



some unknown miscreants. The allegation against the appellant is that she is involved in the murder of the son of the informant.

It is submitted by learned counsel for the appellant that the appellant is innocent and has not committed any offence. No such occurrence as alleged ever taken place. Appellant has been falsely implicated in the case with frivolous allegation. The appellant is not named in the FIR, but her name transpired in the present case during the course of investigation. There is no specific allegation against the appellant. He further submits that similarly situated co-accused has been granted bail by a co-ordinate bench of this Court vide order dated 25.01.2021 passed in Cr.App (SJ) No.1989 of 2020. Appellant has no criminal antecedent.

Learned Spl. PP for the State as well as learned counsel for the respondent no.2 opposed the prayer for anticipatory bail.

Considering the facts and circumstances of the case, as there is no specific overt act against the appellant, the appellant named above, in the event of her arrest or surrender before the learned Court below within a period of six weeks from today, is directed to be released on bail on furnishing bail bond of Rs.25,000/- (Rs. Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional



Sessions Judge-IX-cum-Special Judge (SC/ST) Act,
Muzaffarpur in connection with Siwai Patti P.S. Case No.141 of
2017, 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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