

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL APPEAL (SJ) No.3448 of 2022**

Arising Out of PS. Case No.-436 Year-2022 Thana- DAUDNAGAR District- Aurangabad

1. ANITA DEVI Wife of Kangresh Ram @ Congress Chandrawanshi Resident of Village - Arai, P.S.- Daudnagar, District - Aurangabad.
2. Kangress Ram @ Congress Chandrawanshi son of Ramdev Ram Resident of Village - Arai, P.S.- Daudnagar, District - Aurangabad.
3. Umesh Ram @ Umesh Chandrawanshi Son of Ramdev Ram Resident of Village - Arai, P.S.- Daudnagar, District - Aurangabad.

... .. Appellant/s

Versus

1. The State of Bihar
2. Lalita Devi Wife of Vijay Ram Resident of Village - Arai, P.S.- Daudnagar, District - Aurangabad.

... .. Respondent/s

**Appearance :**

For the Appellant/s : Mr. Mrigendra Kumar, Advocate  
For the Respondent/s : Mr. Sadanand Paswan, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA**  
**ORAL ORDER**

2      09-11-2022                      Heard learned counsel for the appellants and learned  
Spl. P.P. for the State.

This is an appeal under Section 14-A(2) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 (hereinafter referred to as the “SC/ST Act”) against the refusal of prayer for anticipatory bail vide order dated 06.09.2022 in A.B.P. No. 1453 of 2022 passed by the learned 1st Additional Sessions Judge-cum-Special Judge S.C./S.T. (POA) Act, Aurangabad in connection with Daudnagar P.S. Case No. 436 of 2022 registered for the offences punishable



under Sections 341, 323, 504 and 34 of the Indian Penal Code as well as Sections 3(1)(r)(s) and 2(va) of the SC/ST Act.

The informant alleges that on 04.08.2022, she along with her husband came to the house of the appellant no. 2 and demanded their wage for work, on which appellant no. 2 abused and refused to pay the wages, thereafter, appellants assaulted her and her husband and when villagers gathered then they abused her with caste name.

Learned counsel for the appellants submits that appellants are persons with clean antecedent and appellant no. 1 is a woman, it is next submitted that appellants have been falsely implicated in the present case, it is further submitted that even presuming what has been alleged is true without admitting for the purposes of anticipatory bail then the entire occurrence took place at the house of the appellant no. 2, and thus was not in public view. Learned counsel also submits that allegation of assault and abuse is general and omnibus in nature, it is next submitted that though the FIR alleges that the informant was abused in front of the villagers but then the FIR does not even remotely suggest who were the villagers who witnessed the abuse.

Learned Spl. P.P. for the State opposes the prayer for



anticipatory bail of the appellants.

In view of the submissions made by the learned counsel for the appellants, the order dated 06.09.2022 in A.B.P. No. 1453 of 2022 passed by the learned 1st Additional Sessions Judge-cum-Special Judge S.C./S.T. (POA) Act, Aurangabad in connection with Daudnagar P.S. Case No. 436 of 2022 is hereby set aside and the appellant above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 5,000/- (Rupees Five Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Daudnagar P.S. Case No. 436 of 2022 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

Accordingly, the appeal stands allowed.

**(Satyavrat Verma, J)**

GauravSinha/-

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