

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.3486 of 2022

Arising Out of PS. Case No.-576 Year-2022 Thana- KANKARBAG District- Patna

Smt. Nanda Singhal @ Nanda Singal Wife of Sri Dinesh Singhal Resident of
Flat No.- 102, Near Muthutens Jim, P.S.- Kankarbagh, Town and District -
Patna.

... .. Appellant/s

Versus

The State of Bihar.

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Sunil Kumar Srivastava, Advocate

For the Respondent/s : Mr. Sadanand Paswan, Spl.P.P.

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 24-11-2022 Heard learned counsel for the appellant and learned
counsel for the informant as well as learned Special Public
Prosecutor for the State.

This is an appeal under Sections 14(A)(2) of the
Scheduled Castes and Scheduled Tribes (Prevention of
Atrocities) Act, against refusal of the prayer for anticipatory bail
by order dated 25.08.2022 in A.B.P. No. 5296 of 2022 passed by
the learned Exclusive Special Judge, SC/ST (POA) Act, Patna,
in connection with Kankarbagh P.S. Case No. 576 of 2022
registered under Sections 323, 325, 504, 506 of the Indian Penal
Code and Sections 3(i)(r)(s) of SC/ST Act, 1989.

As per prosecution case, allegation against the
appellant and other accused persons is that they used to abuse
the informant by calling her caste name and pressurized the
informant to leave the job and also other allegations of insult



and intimidating of informant. It is also alleged that incident can be seen in camera installed in shop.

Learned counsel for the appellant submits that appellant has clean antecedent and she has falsely been implicated in the present case. He further submits that it appears from the F.I.R. that there is no case is made out under the SC/ST Act against the appellant and there is no specific word mentioned in abusing to the informant by appellant public place.

The learned counsel for the informant as well as learned Special Public Prosecutor have vehemently opposed the prayer for bail of the appellant and submits that the appellant had abused the informant in public place.

After hearing the parties, in my view for the purpose of this anticipatory bail, no offence under the provisions of Scheduled Casts and Scheduled Tribes Act is made out.

Considering the aforesaid facts and circumstances, let the appellant, above named, in the event of her arrest or surrender within a period of four weeks, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending in connection with Kankarbagh P.S. Case No. 576 of



2022, subject to the conditions as laid down under Section 438(2) of the Cr.P.C. and also the following conditions:-

1. Appellant shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on her absence on two consecutive dates without sufficient reason, her bail bond shall be cancelled by the Court below.

2. If the appellant tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

3. And further condition that the court below shall verify the criminal antecedent of the appellant and in case at any stage it is found that the appellant has concealed her criminal antecedent, the court below shall take step for cancellation of bail bond of the appellant. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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