

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.4944 of 2021

Arising Out of PS. Case No.-407 Year-2021 Thana- MOTIHARI MUFASIL District- East
Champaran

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MEERA DEVI W/o Jitendra Sahani Resident of Village - Jhitkahiyan, P.S. -
Lakhaura, District - East Champaran.

... .. Appellant/s

Versus

1. The State of Bihar
2. Runa Devi Wife of Mewalal Thakur Resident of Village-Jhitkahiya,P.S-
Lakhaura,District-East Champaran

... .. Respondent/s

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Appearance :

For the Appellant/s : Mr.Pramod Kumar Pandey

For the Respondent/s : Mrs.Usha Kumari 1

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**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

3 23-08-2022 Heard learned counsel for the appellant as well as

learned counsel for the informant, besides learned Special P.P.

for the State.

Learned counsel for the appellant is directed to

remove all the defects pointed out by the Stamp Reporter within

one month.

This appeal has been preferred on behalf of the

appellant under Section 14-A (2) of the SC & ST (Prevention of

Atrocities) Act for setting aside the order dated 20.10.2021,

registered for the offences punishable under Sections 341, 323,

354, 307, 504 and 506/34 of the Indian Penal Code and Sections

3(i)(r) (s) of SC and ST (Prevention of Atrocities) Act, whereby



the prayer for anticipatory bail of the appellant has been rejected.

At the outset, learned counsel for the appellant has submitted that the informant belongs to *Lohar* castes and by the recent notification of the State Government *Lohar* caste has been excluded from the schedule of the castes mentioned therein. He has submitted further that only allegation against the appellant is that she after catching the lock of the informant assaulted on her abdomen. There is case and counter case and as per paragraph no.3 of the appeal, the appellant is a lady of clean antecedent.

Learned counsel for the informant has opposed the prayer for bail and also submitted that the averment made in paragraph no.3 of the appeal is not true and the appellant has complicity in some other cases, except the present one.

Considering the facts and circumstances, the appeal is allowed and the impugned order dated 20.10.2021 is set aside.

Accordingly, in the event of arrest or surrender within four weeks from today, the appellant, above-named shall 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 learned 1st Additional Sessions Judge-cum-



Special Judge, SC/ST Act, East Champaran, Motihari in connection with Muffasil (Lakhaura) P.S.Case No. 407 of 2021 **with further condition that if any other case is found against the appellant, the learned court below shall be at liberty to cancel her bail bond.**

Office shall ensure that all the defects are removed by the appellant within the stipulated time provided hereinabove, failing which the matter shall be brought to the notice of this Court.

(Nawneet Kumar Pandey, J)

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