

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1015 of 2021**

Arising Out of PS. Case No.-145 Year-2020 Thana- BARHARIA District- Siwan

Sanju Kumari Daughter Of Laxman Manjhi Resident Of Village - Lauwan,
Police Station - Barharia, District – Siwan ... Appellant
Versus

1. The State Of Bihar
 2. Anil Kumar Paswan Shardanand Manjhi R/O Vill - Lauwan, P.S. - Barharia,
Dist.- Siwan
- Respondents

Appearance :

For the Appellant/s : Mr.Bijay Prakash Singh, Advocate
For the Respondent/s : Mr. Spl. Public Prosecutor
for the opposite party no.2 Mr. Krishna Kant Singh, Advocate

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER**

- 3 15-03-2023 Heard learned counsel for the appellant, the State and
respondent no.2.

The present appeal is directed against order dated 14.10.2020 passed by learned Additional Sessions Judge –I cum Special Judge, SC/ST Act, Siwan in a case registered for the offence punishable under Sections 341,323,324,307,504/34 of the Indian Penal Code and Section 3 (i) (r) (s)/ (2)(va) of the SC/ST Act as, whereby anticipatory bail of the appellant has been rejected.

Learned counsel for the appellant submits that from the FIR itself it is evident that the appellant is an order giver and there is no allegation of specific overt act against her. Moreover, parties are agnate living under one courtyard and the incident took place at the doors of the informant and not within the public view, as such, no offence under the SC/ST Act is attracted against the appellant. Besides this, it is not the case of the informant that there was any public at the time of incident. Appellant is a lady.



Learned counsel for the state as well as respondent no.2 oppose the prayer for bail.

Having regard to the submissions made by the parties and the nature of dispute, this appeal is allowed and the impugned order dated 14.10.2020, is set aside.

Accordingly, in the event of arrest or surrender by the appellants, above named, before the court below within six weeks from today, they shall be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of Additional Sessions Judge I cum Special Judge, Siwan in Barharia Police Station Case No. 145 of 2020.

(Prabhat Kumar Singh, J)

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