

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.255 of 2023**

Arising Out of PS. Case No.-321 Year-2022 Thana- ADAPUR District- East Champaran

Sanju Kumari @ Sanju Devi W/O Shyama Kant Prasad Resident Of Village-
Gamhariya Khurd, P.S.- Adapur, District- East Champaran.

... .. Appellant

Versus

1. The State Of Bihar
2. Archana Devi W/O Daya Shankar Baitha Resident Of Village- Gamhariya
Khurd, P.S.- Adapur, District- East Champaran.

... .. Respondents

Appearance :

For the Appellant/s	:	Mr.Sanjeev Kumar, Advocate
For the Respondent/s	:	Ms/Mrs. Usha Kumari 1, Spl. Public Prosecutor
For the respondent no.2	:	Mr. DS Vidhyarthi, Advocate

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

4 19-07-2023 Heard learned counsel for the appellant, the State and
the respondent no.2.

2. This appeal has been filed for setting aside order dated 15.12.2022, passed in a case registered for the offence punishable under sections 379/34 and other allied sections of the Indian Penal Code and sections 3(i)(r)(w) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989, whereby the prayer for anticipatory bail of the appellant has been rejected.

3. As per the prosecution case, appellant assaulted informant's husband and two children by knife and also snatched gold chain from neck of the informant/ respondent no.2.

4. Doctor has found simple injuries. Case and counter case. There is no allegation of abuse of informant by caste name, as such, no case under SC/ST Act is made out. Appellant,



who is lady, claims clean antecedent.

5. Counsel for the State and the respondent no.2 oppose the prayer for bail.

6. Considering the aforesaid facts, this appeal is allowed and the impugned order is set aside. Let the appellant, named above, in the event of arrest/surrender within a period of eight weeks from the date of receipt/production of a copy of this order, be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the Special Judge, SC/ST Act Motihari, East Champaran in Adapur Police Station Case No. 321 of 2022.

(Prabhat Kumar Singh, J)

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