

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.258 of 2023**

Arising Out of PS. Case No.-342 Year-2022 Thana- TRIVENIGANJ District- Supaul

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1. SHANTI DEVI Wife of Ayodhi Paswan R/V- Laharnia, PS- Triveniganj, Dist- Supaul
 2. Juranti Devi Wife of Vidyanand Paswan R/V- Laharnia, PS- Triveniganj, Dist- Supaul

... .. Appellant/s

Versus

1. The State of Bihar
2. Jainandan Paswan @ Lalu Paswan Son of Rajaram Paswan R/V- Laharnia, PS- Triveniganj, Dist- Supaul

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr. Nafisuzzoha
For the Respondent/s	:	Mr. Binay Krishna
		Mr. Wasi Akhtar

**CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER**

4 03-05-2023 Heard learned counsel for the appellants, learned counsel for the respondent no.2 and learned Special Public Prosecutor 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 in short referred to as the 'SC/ST Act') against the refusal of prayer of anticipatory bail vide order dated 15.11.2022 passed by learned Additional District and Sessions Judge, 1st, Supaul in connection with Triveniganj P.S. Case No. 342 of 2022, registered under Sections 148, 149, 447, 341, 323, 324, 308, 325, 354B, 380 of the Indian Penal Code and Section



3(i) (r) (w) (i) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.

Allegedly, the accused persons including the appellants brutally assaulted the informant and his father by means of deadly weapons by means of several weapons due to which they sustained injuries. Appellant no.1 tried to make him drink poison and appellant no.2 snatched locket of Rs.6000/-.

It is submitted by learned counsel for the appellants that the appellants have no concern with the aforesaid occurrence. They have been falsely implicated in the case due to dirty village politics. The allegation of assault levelled against the appellants is not specific rather general and omnibus in nature. There is no specific overt act against the appellants and this fact is also not denied by the learned counsel for the respondent no.2. Appellants have no criminal antecedent as mentioned in para-3 of memo of appeal.

Learned Spl. PP for the State as well as learned counsel for the respondent no.2 opposed the prayer for bail.

In the facts and circumstances of the case, let the above named appellants, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, be enlarged on bail on furnishing bail bond of Rs.



25,000/- (Rupees Twenty Five Thousand) **each** with two sureties of the like amount each to the satisfaction of the learned Additional District and Sessions Judge, 1st, Supaul in connection with Triveniganj P.S. Case No. 342 of 2022 , subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

Accordingly, the impugned order is set aside and this appeal is allowed.

(Anjani Kumar Sharan, J)

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