

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1065 of 2023**

Arising Out of PS. Case No.-95 Year-2022 Thana- NARDIGANJ District- Nawada

DAULI KUMARI D/O Birodhan Singh @ Vinod Singh R/O Village-
Dariyapur, P.S- Nardiganj, District- Nawada

... .. Appellant/s

Versus

1. The State of Bihar
2. Kari Devi W/O Balmiki Ravidas R/O Village- Nardiganj, P.S- Nardiganj,
District- Nawada

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Ram Prawesh Kumar
For the Respondent/s : Mr. Sadanand Paswan

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

3 28-06-2023 **Re:- I.A. No.1 of 2023**

This interlocutory application has been filed for condoning the delay of 145 days in filing of this appeal.

Considering, the grounds taken in the interlocutory application, the delay in filing of this appeal is hereby condoned.

Accordingly, I.A. No.1/2023 is hereby allowed and disposed of.

Re:- Cr.APP (SJ) No.1065 of 2023

Heard learned counsel for the appellant and learned Special Public Prosecutor for the State.

Learned Spl.PP for the State submits that in compliance of the order dated 03.05.2023, he informed the informant/complainant about the present case but nobody has



entered appearance on her behalf.

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 02.07.2022 passed by learned Exclusive Special Court SC/ST, (POA) Act, Nawada in connection with Nardiganj P.S. Case No.95 of 2022, registered under Sections 420, 379, 504, 506/34 of the Indian Penal Code and Section 3(i) (r) (s), 3 (2) (va) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.

The prosecution case, in brief, is that the appellant and other co-accused persons went to the house of the informant and others and told that they will get money for their daughter's wedding. In order to give money, the accused persons took documents and money from the informant and others. It is alleged that when the informant and others checked their bank accounts, Rs.66,000/- in total was illegally drawn by co-accused Nitish Kumar.

It is submitted by learned counsel for the appellant that no such occurrence as alleged ever took place. It is submitted by learned counsel for the appellant that the appellant has no concern with the aforesaid occurrence. There is no specific overt act against the appellant. She has been falsely implicated in the case as he happens to be the sister of co-accused Nitish Kumar. The



specific allegation is against the co-accused Nitish Kumar. There is no specific allegation of abuse against the appellant. Appellant has no criminal antecedent as mentioned in para-3 of this memo of appeal.

Learned Spl. PP for the State opposed the prayer for bail.

In the facts and circumstances of the case, the above named appellant, in the event of her arrest or surrender before the learned Court below within a period of six weeks from today, be released on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Court SC/ST, (POA) Act, Nawada in connection with Nardiganj P.S. Case No.95 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)

shikha/-

U		T	
---	--	---	--

