

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1093 of 2023

Arising Out of PS. Case No.-356 Year-2022 Thana- RAJGIR District- Nalanda

CHAMPA DEVI Wife of Late Akhilesh Rajbanshi R/v- Marksbadhi Nagar,
P.S.- Rajgir, District- Nalanda so called Wife of Prashant Kumar Singh, R/o
Shivpuri Ward No. 9 Behind B.S.N.L. Tower, P.S. and District- Arariya

... .. Appellant/s

Versus

1. The State of Bihar
2. Reeta Devi Wife of Prahlad Chaudhary R/v- Tajpur, P.S.- Roh, District-
Nawada at present resident of Marksbadhi Nagar, P.S.- Rajgir, District-
Nalanda

... .. Respondent/s

Appearance :

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

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

ORAL ORDER

2 25-04-2023 Heard learned counsel for the appellant as well as
learned counsel for the informant.

This appeal has been preferred on behalf of the
appellant under Section 14-A(2) of the Scheduled Castes and
Scheduled Tribes (Prevention of Atrocities) Act for setting aside
the order dated 09.02.2023 passed by the learned Additional
Sessions Judge-IIIrd-Cum-Special Judge, SC/ST, Nalanda at
Biharsharif in connection with SC/ST Spl. Case No. 144 of
2022, arising out of Rajgir P.S. Case No. 356 of 2022, registered
for the offences punishable under Sections 341, 323, 504, 406,
420, 506/34 of the Indian Penal Code & Section 3(i)(r)(s) 3(2)



(va) of SC and ST (Prevention of Atrocities) Act, whereby the prayer for anticipatory bail of the appellants has been rejected.

As per allegation, the appellant and her husband Prashant Kumar Singh extorted money from the informant at the pretext of providing job to her son, but neither the money was returned nor the job was provided.

The learned counsel for the appellant has submitted that it has falsely been mentioned that Prashant Kumar Singh is husband of the appellant. As a matter of fact, her husband was Late Akhilesh Rajbanshi, who has died earlier. He has submitted further that there is no evidence to substantiate that the appellant has received money from the informant. She is a lady of clean antecedent and has falsely been implicated in this case. He has also submitted that considering all these facts, the learned court below has granted provisional bail to the appellant on 22.12.2022. But, she could not surrender within the stipulated period and it was the reason that her bail bond was cancelled. The processes under Section 82 and 83 were issued against her.

On the other hand, the learned counsel for the informant has opposed the prayer for bail and submitted that the appellant, along with Prashant Kumar Singh has extorted money from the informant at the pretext of providing job to her son.



Considering the above-mentioned facts and circumstances, the appeal is allowed and the impugned order dated 09.02.2023 passed by the learned Additional Sessions Judge-IIIrd-Cum-Special Judge, SC/ST, Nalanda at Bihar Sharif is set aside.

Accordingly, the appellants above-named, 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 learned Additional Sessions Judge-IIIrd-Cum-Special Judge, SC/ST, Nalanda at Bihar Sharif in connection with SC/ST Spl. Case No. 144 of 2022, arising out of Rajgir P.S. Case No. 356 of 2022.

(Nawneet Kumar Pandey, J)

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