

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.2182 of 2023

Arising Out of PS. Case No.-176 Year-2016 Thana- ALAMGANJ District- Patna

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Sujata Kumari Wife Of Sri Swet Jaisila @ Shweat Jaishilan Resident Of
Village- And Po Paroha, Ps- Manpur, Distt- Nalanda

... .. Appellant/s

Versus

1. The State of Bihar
2. Dinesh Nandan Verma , Head Clerk Son Of Chaturbhuj Prasad Verma, Sub-Registry Office, Patna City Resident Of Village- South Darbaja Chand Chaura , Ps- Civil Line, Distt- Gaya

... .. Respondent/s

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Appearance :

For the Appellant/s : Mr. Amardeep
For the Respondent/s : Mr. Sadanand Paswan

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 05-07-2023 Heard learned counsel for the appellant and learned
Special Public Prosecutor for the State.

Learned Spl. PP for the State, in compliance of order dated 10.05.2023, informed the informant/complainant. Nobody appeared on behalf of the informant/complainant.

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 31.03.2023 passed by learned Exclusive Special Court SC/ST Act, Patna, in connection with Alamganj P.S. Case No. 176 of 2016 registered under Sections 447, 341,



504, 353 and 34 of the Indian Penal Code and Section 3(i)(x) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.

As per the prosecution case, allegation against the appellant is that she forcibly entered into the office and started abusing the staffs and also threatened the staffs of the office.

Learned counsel for the appellant submits that the appellant has not concern with the aforesaid occurrence. There is no allegation of slating the informant in the specific name of his caste. Hence, no offence under Section SC/ST Act is made out against the appellant. He submits that the occurrence took place inside the office not in a public place. The appellant is victim of high handedness of the informant and in collusion with the police and on basis of false concocted story he has been made scapegoat in this case. Appellant has got no antecedent as mentioned in para-3 of memo of the appeal.

Learned Spl. PP for the State opposes payer for bail and submits that the appellant abuses the respondent no. 2/informant by taking caste name.

Considering the facts and circumstances of the case, let the above named appellant, in the event of his 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) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Court SC/ST Act, Patna, in connection with Alamganj P.S. Case No. 176 of 2016, 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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