

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.2052 of 2022

Arising Out of PS. Case No.-105 Year-2022 Thana- SAHPUR District- Patna

POONAM DEVI W/o BHUSHAN RAM Resident of Village - Usari, P.s.-
Shahpur, Distt.- Patna.

... .. Appellant/s

Versus

1. The State of Bihar
2. Meera Devi Binod Das R/O Village-Usari, P.S.-Shahpur, District-Patna

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr.Ghanshyam Tiwary, Adv.
For the Respondent/s	:	Mrs.Usha Kumari 1, Spl.PP. Mr. Md. Murad Ashraf, Adv.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 22-02-2023 Heard the parties.

Learned counsel for the appellant is directed to remove the defects within four weeks.

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 22.04.2022 passed by learned Exclusive Court SC/ST Act, Patna in connection with Shahpur P.S. Case No. 105 of 2022 registered under Sections 341, 323, 354(B), 506, 504/34 of the Indian Penal Code and Section 3(i)(r)(s) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.

Allegedly, appellant and other co-accused persons abused



the informant by taking her caste name and assaulted her.

It is submitted by learned counsel for the appellant that appellant is quite innocent and has committed no offence. 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. She has been falsely implicated in the case due to ulterior motive. The allegation levelled against the appellant is not specific rather general and omnibus in nature. The whole prosecution story is totally false, fabricated and concocted. Learned counsel for the appellant further submits that the similarly situated co-accused person has been granted anticipatory bail by this Court vide order dated 11.01.2023 in Criminal Appeal (SJ) No. 1596 of 2022.

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

In the facts and circumstances of the case, as the similarly situated co-accused has been granted bail, 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 Act, Patna in connection with
Shahpur P.S Case No. 105/2022, 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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