

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.3032 of 2023**

Arising Out of PS. Case No.-32 Year-2019 Thana- SC/ST District- Begusarai

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Ravindra Kumar Ravi @ Ravindra Kumar Son Of Ram Prasad Mahto @ Ram Prasad Verma Village- Makkhachak Ps- Bakhari Dist- Begusarai

... .. Appellant/s

Versus

1. The State of Bihar
2. Shabnam Devi wife of Vikash Kumar paswan Village- Pranpur Ward No-14, Sonma Ps- Bakhari Dist- Begusarai

... .. Respondent/s

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Appearance :

For the Appellant/s : Ms. Vaishnavi Singh
For the Respondent/s : Ms. Usha Kumari 1

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 01-11-2023 Heard learned counsel for the appellant and learned
Special Public Prosecutor for the State.

2. Learned Spl. PP for the State, in compliance of order dated 30.08.2023, informed the informant/complainant. Nobody appeared on behalf of the informant/complainant.

3. 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 25.05.2023 passed by learned Exclusive Special Judge SC/ST (POA) Act, Begusarai, in connection with



SC/ST P.S. Case No. 32 of 2019 registered under Sections 341, 504(B), 509 of the Indian Penal Code and Sections 3(i)(r)(s)(w), 3(2)(va) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.

4. As per the prosecution case, allegation against the appellant is that he has tried to outrage the modesty of the informant and also abused her by taking her caste name.

5. Learned counsel for the appellant submits that the appellant is innocent and has falsely been implicated in the present case. There is no allegation of slating the informant in the specific name of his caste. Hence, no offence under SC/ST Act is made out against the appellant. She submits that the occurrence took place on 23.06.2019 and the F.I.R. was lodged on 02.07.2019 i.e. after delay of about nine days and there is no explanation regarding the delay, which creates serious doubt on the prosecution case. She further submits that the present informant and her witnesses filed an application in the Court that by keeping her under illusion of giving a Government grant for performing inter-caste marriage her signature was obtained and the present case was lodged. Appellant has got one antecedent as mentioned in para-3 of memo of the appeal.

6. Learned Spl. PP for the State opposes payer for



anticipatory bail.

7. 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 Judge SC/ST (POA) Act, Begusarai, in connection with SC/ST P.S. Case No. 32 of 2019 , subject to the condition as laid down under Section 438(2) of the Cr.P.C.

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

(Anjani Kumar Sharan, J)

anand/-

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