

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.3459 of 2023

Arising Out of PS. Case No.-113 Year-2023 Thana- BEUR District- Patna

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RAGINI DEVI W/O NIRAJ SINGH @ NIRAJ KUMAR R/O VILLAGE-
CHILBILALI, P.S- BEUR, DISTT.- PATNA.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

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Appearance :

For the Appellant/s	:	Mr.Anuj Kumar, Adv.
For the Respondent/s	:	Mr.Binay Krishna, Spl.P.P.
For the Informant	:	None

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 06-12-2023 Heard learned counsel for the appellant and learned
Special Public Prosecutor for the State.

2. Though vakalatnama is filed on behalf of the informant
but despite repeated calls nobody appears on behalf of the
informant.

3. This is an appeal under section 14(A)(2) of the Scheduled
Castes and Scheduled Tribes (Prevention of Atrocities) Act
(hereinafter in short referred to as the 'SC/ST Act') against the
refusal of prayer for anticipatory bail vide order dated
30.06.2023, passed by learned Exclusive Special Court (SC/ST
Act), Patna, in connection with Beur P.S. Case No.113 of 2023,
registered u/s 323, 341, 379, 504, 506/34 of the IPC and
sections 3(i)(r)(s) of the SC/ST Act.



4. As per the prosecution case, the F.I.R. named accused persons came at the office of the informant and started abusing him with caste name and also assaulted him with fists and legs. When his employer tried to rescue him, the accused persons assaulted him also. It is alleged that the appellant abused him with his caste name.

5. It is submitted by learned counsel for the appellant that the appellant is innocent and has not committed any offence. No such occurrence as alleged has ever taken place. Appellant has been falsely implicated in the case with frivolous allegation. It is submitted that no offence under the SC/ST Act is made out against the appellant as the occurrence has taken place inside the office of the informant and not in the public view. It is further submitted that earlier the husband of the appellant has filed a case against the informant's employer, details of which is enclosed at Annexure-2 of the memo of appeal and thereafter, the present case has been lodged by the informant who is working under his employer/boss. Appellant has no criminal antecedent.

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

7. Considering the facts and circumstances of the case,



considering that the appellant is a lady and the occurrence has not taken place in the public view, the appellant named above, in the event of her arrest or surrender before the learned Court below within a period of six weeks from today, is directed to be released on bail on furnishing bail bond of Rs.25,000/- (Rs. 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 Beur P.S. Case No.113 of 2023, 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)

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