

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.668 of 2021

Arising Out of PS. Case No.-207 Year-2018 Thana- AKBARPUR District- Nawada

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1. Putul Devi W/O Dilip Malakar Resident Of Village Bareb Ps Akbarpur District Nawada
 2. Dilip Malakar S/O Shree Malakar Resident Of Village Bareb Ps Akbarpur District Nawada
 3. Sunil Kumar S/O Chunulal Resident Of Village Rajapur Indal Ps Akbarpur District Nawada
 4. Dilip Pandit S/O Karu Pandit Resident Of Village Makhar Ps Akbarpur District Nawada

... .. Appellant/S

Versus

1. The State Of Bihar
2. Asha Devi Wife Of Pintu Kumar Resident Of Village - Dakra Post - Chhotki Amawan, P.S. - Akbarpur, District - Nawada.

... .. Respondent/S

Appearance :

For the Appellant/s : Mr. Sheo Kumar Prasad, Advocate
For the Respondent/s : Mr. A.G. Addl. Public Prosecutor

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 12-04-2023 Heard learned counsel for the appellants, the State and respondent no.2.

The present appeal is directed against the order dated 03.11.2020, passed in a case registered for the offence punishable under Sections 147, 353, 341 of the Indian Penal Code read with Sections 3 (i) (r) (s) of the SC/ST Act, whereby anticipatory bail of the appellants has been rejected.

As per the prosecution case, all the FIR named accused persons including these appellants abused the respondent no.2 by caste name in the meeting of Panchayat Samittee on 28.08.2018 at 11.30 A.M.



Learned counsel for the appellants submits that out of political rivalry these appellants have been made accused in this false and concocted case. Informant belongs to S.C community and taking advantage of her case she has lodged this case with malafide intention only with a view to deprive these appellants from availing the beneficial provisions of Cr.P.C. Appellants do not have any hatred with informant on basis of caste. No insult caused to the informant on basis of caste. In fact in the *Panchayat* meeting, they were protesting against her and pointing out the financial irregularities. They claim clean antecedents.

Learned counsel for the state and respondent no.2 opposed the prayer for bail.

Having regard to the submissions made by the parties and taking into consideration the materials available on record, this appeal is allowed and the impugned order dated 03.11.2020 is set aside.

Accordingly, in the event of arrest or surrender the appellant, above named, before the court below within eight weeks from today, they 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 the



A.D.J. Ist-cum-Spl. Judge (SC/ST), Nawada in Akbarpur P.S
Case No. 207 of 2018, subject to the condition as laid down
under Section 438 (2) of the Code Of Criminal Procedure.

Kaushik/-

(Prabhat Kumar Singh, J)

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