

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.3146 of 2022

Arising Out of PS. Case No.-453 Year-2018 Thana- RUNISAIDPUR District- Sitamarhi

INAR DEVI W/O GULTEN SAHNI R/O VILLAGE- GOBIND PITAUNJIA
@ GOVIND PITAUNJHIYA, P.S.- RUNNISAIDPUR (AT PRESENT
MAHINDWARA), DIST.- SITAMARHI

... .. Appellant/s

Versus

1. THE STATE OF BIHAR
2. RAMA SHANKAR MANJHI SON OF PRABHU MANJHI R/O
VILLAGE- RUPAUL SAHPUR, P.S.- RUNNISAIDPUR, DIST.-
SITAMARHI

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Santosh Kumar
For the Respondent/s : Mr.Sadanand Paswan

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 11-01-2023 Heard learned counsel for the appellant and learned
Special Public Prosecutor for the State.

Learned Special Public Prosecutor for the State
informs this Court that he has informed the informant but
nobody appeared on his behalf.

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 08.06.2022 passed by learned 1st Additional
Sessions Judge-cum-Special Judge SC/ST in connection with
Runnisaidpur P.S. Case No. 453/2018 registered under Sections



363, 366 and 34 of the Indian Penal Code and Section 3(r) (s) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.

Learned counsel for the appellant submits that the appellant have no concern with the aforesaid occurrence. He further submits that all the occurrence took place inside the house not in public view, therefore, no case is made about against the appellant under SC/ST Act. He further submits that statement of the victim was recorded under Section 164 Cr.P.C. in which the victim fairly stated that she left the house with her sweet will and performed marriage with Jitesh Kumar, no one has kidnapped her. Appellant has got no criminal antecedent as mentioned in para-3 of memo of appeal.

Learned Spl. PP for the State opposes the prayer for bail and submits that the appellant abuse the informant by taking caste name.

In the facts and circumstances of the case, let 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 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 1st Additional



Sessions Judge-cum-Special Judge SC/ST in connection with
Runnisaidpur P.S. Case No. 453/2018, 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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