

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.3510 of 2022

Arising Out of PS. Case No.-156 Year-2021 Thana- RAHIKA District- Madhubani

REKHA DEVI W/o Bhikhari Pandit Resident of village- Sapta, P.S.- Rahika,
District- Madhubani

... .. Appellant/s

Versus

1. The State of Bihar
2. SURAJ PASWAN S/o Biltu Paswan Resident of village- Sapta Pawanti Tola,
P.S.- Rahika, District- Madhubani

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr.Saurabh Bishwambhar
For the Respondent/s	:	Mr.Sadanand Paswan
		Mr.Sudhir Kumar Mishra

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 29-04-2023 Heard learned counsel appearing on behalf of the
appellant, State and informant.

This is an appeal filed under Section 14(A)(2) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, (hereinafter referred to as the 'SC/ST Act') against the order dated 22.08.2022 passed by learned Additional Sessions Judge 1st-cum-Special Judge, Madhubani in connection with Rahika P.S. Case No. 156 of 2021, corresponding to G.R. No. 139 of 2021, registered under Sections 341, 323, 307, 379, 504/34 of the Indian Penal Code and Sections 3(i)(r)(s), 3(2)(va) of the SC/ST Act, whereby the prayer for anticipatory bail of appellant has been rejected.

As per F.I.R., this appellant alongwith co-accused Bhikhari Pandit is alleged to have assaulted the informant with



lathi and snatched Rs. 1,000/- from his pocket.

It is submitted on behalf of appellant that there is no allegation of abuse by caste name against appellant and as such, no offence under the SC/ST Act is made out against her. The injury caused to informant is simple in nature. Appellant is lady and has got clean antecedent.

However, learned counsel for the informant opposes the prayer for appeal.

Considering the aforesaid facts and circumstances, let the appellant, as named above, in the event of her arrest/surrender within a period of six weeks from today, be enlarged on bail on furnishing bail-bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned learned Additional Sessions Judge 1st-cum-Special Judge, Madhubani in connection with Rahika P.S. Case No. 156 of 2021, corresponding to G.R. No. 139 of 2021.

Accordingly, the impugned order dated 22.08.2022, so far as this appellant is concerned, is set aside and the criminal appeal is allowed.

(Prabhat Kumar Singh, J)

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