

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.4123 of 2022

Arising Out of PS. Case No.-204 Year-2022 Thana- RIVILGANJ District- Saran

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FUL KUMARI DEVI Wife of Ramdev mahto R/O Village- Jan Tola (Daulatganj), P.S- Revilganj, District- Saran at Chapra

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

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Appearance :

For the Appellant/s : Mr.Harsh Anuj, Adv.

For the Respondent/s : Mr.Sadanand Paswan, Spl.P.P.

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

5 22-11-2023 Heard learned counsel for the appellant and learned Special Public Prosecutor for the State.

2. In compliance of the order of this Court, learned Spl.P.P. for the State informed the complainant of this case about her appearance in the appeal but nobody appears on her behalf.

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 for anticipatory bail vide order dated 14.10.2022, passed by learned 3rd Additional Sessions Judge, Saran at Chapra, in connection with Revilganj P.S. Case No.204 of 2022, registered u/s 420, 406, 354 of the IPC and sections 3(1)(r)(s) of the SC/ST Act.

4. As per the prosecution case, the complainant alleged that



the F.I.R. named accused persons including the appellant cheated Rs.3,90,000/- from her in lieu of execution of sale deed of a land but later on, she got knowledge that the said land has been sold to another person also. The accused persons are alleged to have abused the complainant with her 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, in the manner 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 is not said to have taken place in the public view. There is an admitted land dispute between the parties and there is general and omnibus allegation against the appellant. Appellant has no criminal antecedent.

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

7. Considering the facts and circumstances of the case, 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



3rd Additional Sessions Judge, Saran at Chapra, in connection with Revilganj P.S. Case No.204 of 2022, 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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