

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.4442 of 2022**

Arising Out of PS. Case No.-595 Year-2022 Thana- KOTWALI District- Patna

LALITA RAI Son of Late Ramnandan Rai R/V- Tiwari Dehariya, P.S-
Mohaniya, Dist- Kaimur at Bhabua

... .. Appellant/s

Versus

1. The State of Bihar
2. Ranjan Lata @ Soni Kumari Daughter of Bahadur Ram R/V- Chhotaki
Samimpur, P.S- Buxar, Dist- Buxar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Shashank Shekhar
For the Respondent/s : Ms.Usha Kumari 1

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

3 02-05-2023 Heard learned counsel for the appellant as well as
the learned Special Public Prosecutor for the State.

This appeal has been preferred on behalf of the appellant under Section 14 (A) (2) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 for setting aside the order dated 17.11.2022, in connection with Kotwali P.S. Case No. 595 of 2022, registered for offence punishable under sections 341, 323, 504, 506, 354, 379/34 of the Indian Penal Code and sections 3 (i) (r) (s) of the SC/ST (POA) Act, whereby the prayer for bail of the appellant has been rejected.

The allegation against the petitioner is that he outraged the modesty of the informant, threw her file after



snatching from her hands and also snatched Rs.30,000/- from her possession.

The learned counsel for the appellant has submitted that the appellant is innocent and has falsely been implicated in this case. As a matter of fact, he is a person of 72 years of age and taking the benefit of his old age, the informant, with some ulterior motive, has implicated him in this false case. He has submitted further that the appellant has lodged a case against the informant, which is annexure-2 since she has abused him and also assaulted him. He has also submitted that by misusing her caste, she has filed 38 cases against different persons for ulterior motive. She used to extract money from those persons and she also received money from the government exchequer on the basis of these false and fabricated cases. The appellant is under custody since 27.09.2022.

Considering the above-mentioned facts and circumstances, the appeal is allowed and the impugned order dated 17.11.2022 is set aside.

Accordingly, the appellant, above-named, be released on bail on furnishing bail bonds of Rs.10,000/- with two sureties of the like amount each to the satisfaction of learned Special Judge, SC/ST (POA) Act, Patna in connection with Kotwali P.S.



Case No. 595 of 2022.

The Senior Superintendent of Police, Patna is directed to enquire into the matter about the allegation of habitual nature of the informant, as she has lodged a number of case against innocent persons and report within a period of two months.

List the matter after two months.

(Nawneet Kumar Pandey, J)

Kundan/Nirmal

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