

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1738 of 2023

Arising Out of PS. Case No.-182 Year-2022 Thana- JANTA BAZAR District- Saran

MANOJ DEVI @ MANOJA DEVI @ MANOJ W/O JAI PRAKASH SINGH
R/O Village-Najirganj, P.S- Janta Bazar, Distt.- Saran.

... .. Appellant/s

Versus

1. The State of Bihar
2. POONAM DEVI W/O SUNIL SAH R/O Village-Najirganj, P.S- Janta Bazar, Distt.- Saran.

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Adarsh Ranjan
For the Respondent/s : Mr. Sadanand Paswan

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

6 10-01-2024 Heard learned counsel for the appellant and learned Special Public Prosecutor for the State.

2. Learned Special Public Prosecutor for the State has informed that in compliance of the order dated 01.11.2023, he has informed the informant but none is present on his 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 of anticipatory bail vide order dated 24.02.2023 passed by learned Additional Sessions Judge-III-cum Special Judge (SC/ST/MP/MLA), Saran in connection with Janta Bazar P.S. Case No. 182/22 registered under Sections 363,



366, 366A, 323, 504 & 506/34 of the Indian Penal Code and Section 3(1) (r) (s) (m) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.

4. The daughter of the informant is said to have been kidnapped by one Ankit Kumar Singh and this appellant is the mother of said Ankit Kumar Singh.

5. It is submitted by learned counsel for the appellant that no such occurrence as alleged ever took place. Appellant has been falsely implicated in the case because she is the mother of Ankit Kumar Singh. There is an inordinate delay of three days in filing the F.I.R. without assigning any plausible explanation for the said delay. The allegation levelled against the appellant is not specific rather general and omnibus in nature. Appellant has no criminal antecedent as mentioned in para-3 of this memo of appeal.

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

7. In the facts and circumstances of the case, the above named appellant, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be released 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 the learned Additional



Sessions Judge-III-cum Special Judge (SC/ST/MP/MLA),
Saran in connection with Janta Bazar P.S. Case No. 182/22,
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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