

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1741 of 2024

Arising Out of PS. Case No.-598 Year-2023 Thana- JAMUI District- Jamui

1. MALTI DEVI wife of Tej Narayan Mandal R/O Village- Daulatpur PS and Dist- Jamui
2. Uma Devi wife of Yogendra Mandal R/O Village- Daulatpur PS and Dist- Jamui
3. Nirmala Devi wife of Bablu Mandal R/o Village- Daulatpur PS & Dist- Jamui

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Najmul Hoda, Advocate
For the Respondent/s : Ms. Usha Kumari 1, Spl.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

4 27-09-2024 1. Heard learned counsel for the appellants and learned Special Public Prosecutor for the State.

2. This is an appeal under Section 14-A(2) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 (hereinafter referred to as the “SC/ST Act”) against the refusal of prayer for anticipatory bail vide order dated 06.01.2024 in A.B.P. No. 2178 of 2023 passed by the learned 1st Additional Sessions Judge-cum-Special Judge SC/ST (POA) Act, Jamui in connection with Jamui P.S. Case No. 598 of 2023 registered under Sections 147, 149, 341, 379, 411, 353, 307, 504, 506, 332 and 186 of the Indian Penal Code, Section 21 of the MMDR, Section 56(2) of the Bihar Mineral



Act, Section 15 of the Forest Act as well as Sections 3(i)(R)(s) and (vi) of the SC/ST Act.

3. Learned counsel for the appellants submits that appellants are persons with clean antecedent and are women.

4. The informant alleges that on 08.10.2023 at 09:30 a.m. one tractor and two motorcycles loaded with sand were apprehended while six tractors taken away from the place of occurrence, thereafter 100-200 men and women came and attacked the informant and police personnel and on videography accused were identified.

5. Learned counsel for the appellants submits that appellants have been falsely implicated in the instant case by the informant based on suspicion. It is further submitted that allegation of assault is not specific and appellants are women and resided in the same locality where the ruckus was created as such out of inquisitiveness they went to the place of occurrence and came to be implicated.

6. Learned Special Public Prosecutor opposed the prayer for anticipatory bail.

7. Considering the submissions aforesaid, let the appellants, above named, in the event of their arrest or surrender before the learned Court below within a period of six weeks



from the date of receipt of the order, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (rupees ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending in connection with the aforesaid case, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

8. Accordingly, the impugned order is set aside and this appeal stands allowed.

(Satyavrat Verma, J)

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