

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.2154 of 2023

Arising Out of PS. Case No.-412 Year-2021 Thana- KHAJANCHI HAT District- Purnia

MONI KUMARI @ KHUSHI KUMARI Daughter of Deep Narayan Mandal
Resident of Village and PS-Sukhasan, Dist-MaDhepura. At Present-Ma-
hananda Colony Janta Chowk Ward No.-19, PS-K.Hat, Dist-Purnea.

... .. Appellant/s

Versus

1. The State of Bihar Bihar
2. Ramnath Prasad, Son of Ramchandra Prasad, Resident of Mohalla-Flat No.30A, Snehans enclave Road No.-10, East Patel Nagar, Patna-800023 at present Mahananda Colony Janta Chowk PS-K.Hat, Dist-Purnea.

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Bipin Kumar
For the Respondent/s : Mr.Binay Krishna

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

6 26-11-2024 1. Heard the parties.

2. The appellant apprehend her arrest in connection with K. Hat P.S. Case No. 412 of 2021 registered for the offence under Section 147, 341, 323, 427, 504, 506 of the IPC and Section 3 (i)(v)(s) of the SC/ST (Prevention of Atrocities) Act and being aggrieved by the order dated 01.03.2023 passed by Sri Umesh Kumar, Special Judge SC/ST Act, Purnea in A.B.P. No. 07 / 2023 has preferred this appeal for grant of anticipatory bail.

3. As per the first information report on 19.05.2021 while the informant was engaged in his official work at his residence, upon noise of his driver, he came out and saw that the co-accused / Deep Narayan Mandal along with his son-in-law,



daughters, grand daughter in intoxicated condition were fighting with informant's driver and when informant objected, they started abusing, entered into the passage of informant's house, assaulted the informant with iron rod, ransacked the official papers, T.V., laptop etc. and abused in the caste name of the informant, who is the member of schedule tribe.

4. Learned counsel for the appellant submits that appellant is a lady and has been implicated in this case along with entire family members of the named accused person Deep Narayan Mandal. The appellant is not specifically named in the First Information Report and the allegation against her is general and omnibus in nature.

5. No one appears for the respondent no. 2 . On last occasion also, no one was present on his behalf.

6. A counter case has been lodged by Deep Narayan Mandal bearing K. Hat P.S. Case No. 413 of 2021 against the informant and others. The appellant along with other persons reside in the quarter situated in the same premises where the informant is residing.

7. Regard being had to the submission made by the parties, taking into consideration the nature of dispute, the fact that appellant is a lady and she has not been specifically named in



the first information report and counter case has been lodged against the informant, I am inclined to grant anticipatory bail to the appellant.

8. Accordingly, the order dated 01.03.2023 passed in A.B.P. No. 07 of 2023 arising out of K. Hat P.S. Case No. 412 of 2021 passed by Sri Umesh Kumar, Special Judge SC/ST Act, Purnea is hereby set aside.

9. Let the appellant, above named, be released on anticipatory bail in the event of arrest or surrender before the court below within a period of four weeks from today on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of Sri Umesh Kumar, Special Judge SC / ST Act, Purnea in connection with K. Hat P.S. Case No. 412 of 2021 subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anil Kumar Sinha, J)

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