

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.2174 of 2024

Arising Out of PS. Case No.-198 Year-2024 Thana- FORBESGANJ District- Araria

1. Shivshankar Kumar Das @ Shiv Sankar Kumar S/o- Late Ram Swarup Das R/o- Jagdish Mill Campus Ward No 8 Ps- Forbesganj, Dist- Araria
2. Nutan Devi wife of Shivshankar Kumar Das R/o- Jagdish Mill Campus Ward No 8 Ps- Forbesganj, Dist- Araria

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr. Abhay Shankar Jha, Advocate Mr. Hrishikesh, Advocate Mr. Chandramauli Kumar, Advocate
For the Respondent/s	:	Ms. Usha Kumari 1, Spl. P.P.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 04-12-2024 Heard learned counsel for the appellants and learned Special Public Prosecutor for the State.

2. Learned Spl.PP. for the State submits that vide order dated 11.06.2024 passed by the co-ordinate Bench of this Court, he informed the informant to appear in the present appeal through her counsel, 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 of anticipatory bail vide order dated 08.04.2024 passed by learned Additional Sessions Judge-cum-Special Judge, Araria, in connection with



Farbesganj P.S. Case No. 198 of 2024 registered under Sections 341, 323, 354(a), 406, 504, 506/34 of the Indian Penal Code and Section 3(1) (r), 3(1)(s), 3(1)(w) of the Scheduled Castes and Scheduled Tribes Act.

4. As per prosecution case, the informant and other women were working in Nomi Network from 12.03.2012 and appellants being sanchalak of the said institution, kept Rs. 10,00,000/- for 11 years. When they demanded their money, appellants made excuses, abused them in the names of their caste and misappropriated their money.

5. It is submitted by learned counsel for the appellants that the appellants have no concern with the aforesaid occurrence. They have been falsely implicated in the case. The fact is that Appellant no. 2 has filed a case against the present informant and other bearing Forbesganj P.S. Case No. 37 of 2024 and to put pressure to compromise the case, appellants have been made accused in this case. It is further submitted that there is general and omnibus allegation against the appellants. Appellants have no criminal antecedent as mentioned in para-3 of memo of appeal.

6. Learned Spl. PP for the State opposed the prayer for bail and submits that appellants have abused the informant by taking



her caste names.

7. In the facts and circumstances of the case and considering the arguments and on perusal of the records, the above named appellants, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, be enlarged on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge-cum-Special Judge, Araria in connection with Farbesganj P.S. Case No. 198 of 2024, 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)

priyanka/-

U		T	
---	--	---	--

