

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.3870 of 2024

Arising Out of PS. Case No.-19 Year-2024 Thana- SC/ST District- Patna

Prajaya Kumari Arya Wife of Rajesh Kumar @ Abhishek Raj village -
Dariyapur, Police Station - N.T.P.C. Barh, District - Patna

... .. Appellant/s

Versus

1. The State of Bihar
2. Dharamveer Kumar Tejashwi son of Ram Pravesh Kumar village-
Dariyapur, Ps- N.T.P.C. Barh, Dist- Patna

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr. Arvnendra Kumar Thakur, Advocate
For the Respondent/s	:	Ms. Usha Kumari 1, Spl. Public Prosecutor Mr. Vibhuti Ranjan Sonvadra, Advocate

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 23-09-2024 Heard learned counsel for the parties.

2. This criminal appeal has been filed against the order dated 19.07.2024 passed by learned Exclusive Special Judge, SC/ST Act, Civil Court (Sadar) Patna in ABP No. 2749 of 2024 in connection with SC/ST (Patna) P.S. Case No. 19 of 2024, instituted under Sections 341, 323, 504, 506/34 of the Indian Penal Code and Sections 3(1)(r)(s), 3(2)(va) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, whereby the prayer for anticipatory bail of appellant has been rejected.

3. Prosecution case, in brief, is that this appellant along with other accused persons assaulted informant with



various weapons and abused him by caste name.

4. Learned counsel for the appellant submits that appellant is a Government servant and is employed in the Bank of India as an Assistant at Saguna More Branch, Patna and she was on duty in the bank on the alleged date and time and to that effect Certificate dated 01.07.2024 issued by Senior Branch Manager of the aforesaid bank is annexed as Annexure-P/2. No specific overt act is alleged against appellant. F.I.R. does not disclose presence of any member of public when the incident occurred, as such, no offence under SC/ST Act is made out against appellant. Appellant claims clean antecedent.

5. Learned Spl. Public Prosecutor for the State as well as learned counsel for the respondent No. 2 vehemently opposed the bail application.

6. Considering the aforesaid facts, let the appellant, as named above, in the event of her arrest/surrender within a period of eight weeks from today, be enlarged on bail on furnishing bail-bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Judge, SC/ST Act, Civil Court (Sadar) Patna in ABP No. 2749 of 2024 in connection with SC/ST (Patna) P.S. Case No. 19 of 2024.



7. Accordingly, this criminal appeal is allowed and impugned order dated 19.07.2024 is set aside with respect to this appellant only.

(Prabhat Kumar Singh, J)

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