

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No. 4562 of 2023

Arising Out of PS. Case No.-239 Year-2019 Thana- BIKRAM District- Patna

KARAN SINGH @ KARAN KUMAR SON OF RANJEET SINGH
RESIDENT OF VILLAGE - SARVA, BHADSARA, P.S. - BIKRAM,
DISTRICT - PATNA

... .. Appellant/s

Versus

1. THE STATE OF BIHAR
2. RAUSHANI KUMARI D/O. BAMBAM PASWAN RESIDENT OF
VILLAGE - SARWAN, BHADSARA, P.S. - BIKRAM, DISTRICT -
PATNA

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Manoj Kumar Singh, Adv.
For the Respondent/s : Mr. Binay Krishna, Spl. P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 12-07-2024 1. Heard learned counsel for the appellant and
learned Spl.P.P. for the State Mr. Binay Krishna.

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 02.06.2023 passed by the learned Special
Judge (SC/ST Act), Patna in connection with Bikram P.S.
Case No. 239 of 2019 registered under Sections 147, 148,
149, 341, 323, 504, 506 and 379 of the Indian Penal Code
and Section 3(i)(r)(w) of the Schedule Caste and Schedule



Tribes (Prevention of Atrocities Act).

3. Learned counsel for the appellant draws the attention of the Court to the office report dated 11.07.2024, wherein it has been recorded that notice on behalf of the respondent no.2 has been received by his brother. Since the notice has been received by the brother of the respondent no.2, as such it is deemed to have been validly served.

4. Learned counsel for the appellant submits that appellant has antecedent of one case and has been falsely implicated in the instant case by the informant. It is next submitted that from perusal of the allegation as alleged in the FIR it would manifest that on account of dispute relating to irrigation of the farm the occurrence is alleged to have taken place, when it is alleged that the accused persons including the appellant came to the house of the informant and started abusing her and also assaulted with sticks and bricks and snatched her golden chain and earrings etc. The learned counsel for the appellant further submits that even presuming what has been alleged is true without admitting then the entire occurrence took place within the premises of the informant, as such was not in public view and the



offences alleged under the IPC are bailable.

5. Learned Spl.P.P. for the State opposes the prayer for anticipatory bail of the appellant.

6. Considering the submissions made by the learned counsel for the appellant, order dated 02.06.2023 passed by the learned Special Judge (SC/ST Act), Patna in connection with Bikram P.S. Case No. 239 of 2019, **is hereby set aside** and the appellant, above-named, in the event of her arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 5,000/- (Rupees Five Thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Bikram P.S. Case No. 239 of 2019 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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