

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.75 of 2024

Arising Out of PS. Case No.-498 Year-2023 Thana- CHAPRA MUFFASIL District- Saran

1. Meera Devi Wife Of Bharat Sah Resident Of Village - Sandha, Newaji Tola, Bazar Samiti, P.S. - Chapra Muffasil, District - Saran
2. Kumkum Kumari @ Kumkum Devi Daughter Of Bharat Sah Resident Of Village - Sandha, Newaji Tola, Bazar Samiti, P.S. - Chapra Muffasil, District - Saran
3. Amrita Devi @ Chhoti Daughter Of Bharat Sah Resident Of Village - Sandha, Newaji Tola, Bazar Samiti, P.S. - Chapra Muffasil, District - Saran

... .. Appellant/s

Versus

1. The State Of Bihar
2. Maya Devi Wife Of Harendra Baitha Resident Of Village - Sandha, Newaji Tola, Bazar Samiti, P.S. - Chapra Muffasil, District - Saran

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr. Amrit Abhijat, Advocate
For the Respondent/s	:	Mr. Sadanand Paswan, Spl. Public Prosecutor Mr. Rajiv Ranjan Kr. Pandey, Advocate

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 05-09-2024 Heard learned counsel for the appellants, respondent
No. 2 and State.

2. This appeal has been filed against the order dated 08.11.2023 passed by learned Exclusive Special Judge, SC/ST Act, Saran at Chapra in connection with A.B.P. No. 3834 of 2023 arising out of Chapra Muffasil P.S. Case No. 498 of 2023, registered under Sections 341, 323, 379, 354, 504, 506/34 of the Indian Penal Code and Section 3(i)(r)(s), 3(2)(va) of Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act,



whereby the prayer for anticipatory bail of appellants has been rejected.

3. As per prosecution case, on 27.05.2023 at about 3:30 PM, when informant was sitting outside her house, these appellants along with other F.I.R. named accused persons abused her by caste name and assaulted her and her husband.

4. Learned counsel for the appellants submits that appellants are innocent and have committed no such offence as alleged. He next submits that both parties are next door neighbours and due to petty dispute, a simple occurrence of maar-peet took place. Case and counter case. There is no allegation of specific overt act against these appellants. F.I.R. does not reveal presence of any member of public when the alleged incident occurred, as such, no offence under SC/ST Act is made out. Appellants are ladies and claim clean antecedent.

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

6. Considering the aforesaid facts, let the appellants, as named above, in the event of their arrest/surrender within a period of eight weeks from today, be enlarged on bail on furnishing bail-bonds of Rs. 10,000/- (ten thousand) each with



two sureties of the like amount each to the satisfaction of Exclusive Special Judge, SC/ST Act, Saran at Chapra in connection with Chapra Muffasil P.S. Case No. 498 of 2023.

7. Accordingly, the impugned order dated 08.11.2023 is set aside and this criminal appeal is allowed.

(Prabhat Kumar Singh, J)

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