

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.618 of 2024

Arising Out of PS. Case No.-699 Year-2023 Thana- BEUR District- Patna

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Lishma Devi @ Leshma Devi Wife Of Sri Naresh Singh @ Naresh Prasad
Singh @ Ranjan Prasad R/O-Bishunpur Pakari, P.S.-BEUR, Distt.-PATNA

... .. Appellant/s

Versus

1. The State of Bihar
2. Baijnath Choudhary @ Baidyanath Choudhary Son Of Late Shiv Shankar
Choudhary @ Late Shiv Bharat Choudhary R/O Village And P.O.
-BISHUNPUR Pakari, P.S.-BEUR, Distt.-PATNA, Mobile No. 7667885367

... .. Respondent/s

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Appearance :

For the Appellant/s : Mr. Pramod Kumar Singh, Advocate

For the Respondent/s : Mrs. Usha Kumari 1, Spl. Public Prosecutor

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 07-08-2025 Despite valid service of notice, none appears on
behalf of the respondent No. 2.

2. Heard learned counsel for the appellant and the
State.

3. This criminal appeal has been filed against the
order dated 15.01.2024 passed by learned Exclusive Special
Court, SC & ST Act, Patna in ABP No. 10923 of 2023 in
connection with Beur P.S. Case No. 699 of 2023, instituted
under Sections 341, 323, 504/34 of the Indian Penal Code and
Sections 3(1)(r)(s) of the Scheduled Castes and Scheduled
Tribes (Prevention of Atrocities) Act, whereby the prayer for
anticipatory bail of appellant has been rejected.



4. Appellant is named in the F.I.R. with allegation that she used to abuse informant and on the alleged date and time of occurrence, appellant assaulted the wife and daughter of informant.

5. Learned counsel for the appellant submits that appellant is innocent and has committed no offence. Quarrel took place between the parties over plucking of flowers and taking advantage of the same, this false and concocted case has been lodged against appellant. There is no injury report on record to substantiate the allegations levelled against appellant. Moreover, there is no allegation of abuse by caste name in the F.I.R., as such, no offence under SC/ST Act is made out against appellant. Appellant is lady and claims clean antecedent.

6. Learned Spl. Public Prosecutor for the State opposed the bail application.

7. 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 Court, SC & ST Act, Patna in ABP No. 10923 of 2023 in connection with Beur P.S. Case No. 699 of 2023.



8. Accordingly, this criminal appeal is allowed and impugned order dated 15.01.2024 is set aside with respect to this appellant only.

(Prabhat Kumar Singh, J)

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