

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.979 of 2024

Arising Out of PS. Case No.-12 Year-2023 Thana- SC/ST District- Begusarai

Nitu Kumari @ Nitu Rani W/O Ajay Kumar @ Ajay Paswan R/O Village-
Rampur Raut Kusheshwar Asthan, P.S- Kusheshwar Asthan, Distt.-
Darbhanga.

... .. Appellant/S

Versus

1. The State Of Bihar
2. Sikandra Paswan S/O Late Dewna Paswan @ Late Deo Narayan Paswan
R/O Village- Daulatpur, P.S- Khodawanandpur, Distt.- Begusarai.

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr. Randhir Kumar, Advocate.
For the Respondent/s	:	Mr. Sadanand Paswan, Special P.P.
For the Informant	:	Mr. Sanjay Kumar Pandey, Advocate.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

7 23-09-2025 1. Heard learned counsel for the appellant, learned
Special P.P. Mr. Sadanand Paswan and the learned counsel
appearing on behalf of the informant.

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 01.11.2023 in A.B.A. No. 2164 of 2023 passed by
the learned Exclusive Special Judge, SC/ST (POA) Act,
Begusarai in connection with Begusarai SC/ST P.S. Case
No.12/2023, registered under Sections 341, 406, 420, 468, 471,
384, 385, 386, 504, 506, 467 of the Indian Penal Code as well as



Sections 3(1) (r) (s) (f) (g) (p) 3(1) of the SC/ST (POA) Act.

3. The Investigating Officer of the case, in compliance of the order dated 09.09.2025 is present in the Court.

4. Learned counsel for the appellant submits that appellant no.2 also belongs to SC category, as such, SC/ST Act is not attracted against her and is a person with clean antecedent and is a woman and the informant alleges that accused persons including the appellant hatched the planning to deceive him and his wife, further his wife runs a school, namely, Shobha Narayan Public School, the accused gained the trust of the informant and his wife convincing them to execute a sale deed with respect to a piece of land for Rs. 8 lacs, further the accused persons got the name of the informant recorded as father of a child (Jitendra Narayan) born to Nitu Kumari at Ranjana Sinha's hospital, further the accused took the informant to Delhi, where they pressurized him to sign a blank paper, subsequently, the accused filed Complaint Case No.1107 of 2021 against the informant, who is currently on bail and as part of compromise, the informant paid an amount of Rs.20,60,000/- to the accused, it is next alleged that the accused are threatening of implicating him in other cases also.

5. The learned counsel appearing on behalf of the



appellant submits that appellant no.2 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 the same is vague and cryptic. It is further submitted that informant and Sanju Devi, mother of appellant no.2 was a widow and she fell in love with the informant and thereafter they married and out of the wedlock, a child was born and when informant was denying the relationship, the aforesaid Complaint Case No.1107C of 2021 came to be instituted. It is next submitted that in pursuance of the aforesaid complaint case, an FIR was instituted and the appellant was sent to judicial custody but then appellant was released on provisional bail after a compromise was entered in between him and Sanju Devi, whereby appellant paid an amount of Rs.20,60,000/- to Sanju Devi and also gave one bigha of land and after being released on bail, the instant FIR came to be instituted. It is submitted that appellant has been implicated in the instant case by the informant with an allegation that the child which Sanju Devi was alleging was of the informant, was the child of appellant no.2 from one Ajay but then Sanju Devi taking advantage of the fact that Nitu Devi (appellant no.2) had given birth to a child, instituted the aforesaid complaint case, showing that the child



was born to her from the informant. It is next submitted that even presuming what has been alleged is true without admitting then it was Sanju Devi, who was responsible for committing the occurrence of falsely implicating the informant and appellant being daughter of Sanju Devi from her first husband also came to be implicated with a view to coerce Sanju Devi into submission.

6. Learned Special Public Prosecutor Mr. Sadanand Paswan and the learned counsel appearing on behalf of the informant opposes the prayer for anticipatory bail of the appellant but then are not in a position to rebut the submission of the learned counsel appearing on behalf of the appellant that the appellant being daughter of Sanju Devi came to be implicated with general and omnibus allegation.

7. Considering the submission of the learned counsel for the appellant, the order impugned is set aside. Let the appellant no.2, namely, **Nitu Kumari @ Nitu Rani**, in the event of her arrest or surrender before the learned Court below within a period of six weeks from the date of receipt of the order, be released on anticipatory bail on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where



the case is pending in connection with the aforesaid case, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

8. Accordingly, the impugned order is set aside and this appeal stands **allowed**.

9. The personal appearance of the Investigating Officer of the case is dispensed with.

(Satyavrat Verma, J)

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