

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1305 of 2025**

Arising Out of PS. Case No.-67 Year-2024 Thana- DUMARIYA District- Gaya

Maluiya Devi @ Malo Devi W/o- Saryug Yadav @ Saryu Yadav Resident of
Village- Pichhulia, P.S.- Dumaria, District- Gaya

... .. Appellant/s

Versus

1. The State of Bihar
2. Saroj Devi W/o- Ramjeet Das Village- Salaiya Po- Pipra Ps- Dumaria Dist-
Gaya

... .. Respondent/s

Appearance :

For the Appellant/s	:	Md. Javed Jafar Khan, Advocate
For the Respondent/s	:	Mr. Binay Krishna, Spl.PP
		Mr. Gajendra Kumar Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR
ORAL ORDER

3 12-11-2025 Heard learned counsel for the appellant, learned
counsel for the respondent no.2 and learned Special Public
Prosecutor for the State.

2. This is an appeal under Section 14(A)(2) of the
Scheduled Castes and Scheduled Tribes (Prevention of
Atrocities) Act, 1989 against the refusal of prayer of
anticipatory bail vide order dated 24.02.2025 passed by learned
Exclusive Special Judge (SC/ST Act), Gaya, in connection with
Dumaria P.S. Case No. 67 of 2024, registered under Sections
126(2), 115(2), 352, 3(5) of the B.N.S. and Section 3(1) (r) (s)
of the Scheduled Castes and Scheduled Tribes (Prevention of
Atrocities) Act.

3. The prosecution case, in brief, is that while the



informant was working in her agricultural field, the accused persons, including the appellant, arrived armed with lathis and dandas. They allegedly abused her, claimed ownership of the land, and assaulted her. When her husband attempted to intervene, he too was beaten. It is further alleged that the appellant snatched the informant's earring and threatened to kill her and her family.

4. It is submitted by learned counsel for the appellant that no such occurrence, as alleged, ever took place. The appellant has no connection with the alleged incident and has been falsely implicated in the case. The allegation of assault leveled against the appellant is not specific, but rather general and omnibus in nature. Similarly, the allegation of using abusive or insulting language against the informant is also vague and omnibus. Hence, no offence under the provisions of the SC/ST (Prevention of Atrocities) Act is made out against the appellant. It is further submitted that the only allegation against the appellant is that she allegedly snatched an earring from the ear of the informant, which appears to be a manipulation intended to make the accusation appear more grave. It is also pointed out that no one sustained any injury in the alleged occurrence. The appellant has no criminal antecedents, as stated in paragraph 3



of the memo of appeal.

5. Learned Spl. PP for the State and learned counsel for the respondent no.2 opposed the prayer for bail.

6. Having regards to the facts and circumstances of the case as there is no specific allegation against the appellant, let the above named appellant, in the event of her arrest or surrender before the learned Court below within a period of six weeks from today, be released on 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 Exclusive Special Judge (SC/ST Act), Gaya, in connection with Dumaria P.S. Case No. 67 of 2024, subject to the condition as laid down under Section 482 (2) of the BNSS.

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

(Ajit Kumar, J)

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