

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.2017 of 2024

Arising Out of PS. Case No.-13 Year-2024 Thana- VAISHALI District- Vaishali

Geeta Devi Wife Of Dasai Sahni Resident Of Village- Karneji Vijay Bhumi,
Ps- Vaishali (BELSAR Op) Dist- Vaishali

... .. Appellant/S

Versus

1. The State Of Bihar
2. Indu Devi Wife Of Naresh Ram Resident Of Village- Karneji Vijay Bhumi,
Ps- Vaishali (BELSAR Op) Dist- Vaishali

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Santosh Kumar, Adv.
For the Respondent/s : Mr. Binay Krishna, Special P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

4 08-10-2025 1. Heard learned counsel for the appellant and the learned Special P.P. Mr. Binay Krishna. No one appears on behalf of the O.P. No.2.

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 30.03.2024 passed by the learned Exclusive Special Judge, SC/ST Act-cum-Additional District and Sessions Judge, Vaishali at Hajipur in connection with Vaishali (Belsar O.P.) P.S. Case No.13/2024, registered under Sections 147, 148, 149, 341, 323, 307, 354(A), 354(B), 354©, 504, 506 of the Indian Penal



Code as well as Sections 3(i)(r)(s), 3(2)(va) of the SC/ST Act.

3. Learned counsel for the appellant submits that the appellant is a person with clean antecedent and is a women and the informant alleges that on 06.01.2024 at about 8.50 P.M. accused persons including the appellant came to her door and abused by taking caste name, on protest, the accused assaulted by means of lathi, danda and even tore her saree and blouse and tried to outrage her modesty, when her sister-in-law Rubi and Sushila came to rescue her, when all the accused persons abused them by taking caste name and even tried to commit rape and assaulted her brother-in-law Ashok causing injury, on alarm, when the people gathered, the accused fled.

4. Learned counsel for the appellant submits that appellant 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 allegation of hurling abuse and assault against the appellant is general and omnibus in nature. It is also submitted that entire family members including female members of the family have been implicated in order to coerce male members into submission. It is next submitted that even presuming what has been alleged is true without admitting then the entire occurrence



took place at the house of the informant and thus was not in public view nor the FIR even remotely suggest that the occurrence was witnessed by any independent witnesses.

5. Learned Special Public Prosecutor Mr. Binay Krishna opposes the prayer for anticipatory bail of the appellant.

6. Considering the submission of the learned counsel for the appellant, the order impugned is set aside. Let the appellant, above named, 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.5,000/- (rupees five 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.

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

(Satyavrat Verma, J)

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