

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.2779 of 2024

Arising Out of PS. Case No.-19 Year-2024 Thana- CHAUSA District- Madhepura

MD. EKVAL ALAM @ MD. AKBAL UDDIN SON OF MD. KUDUSH
ALAM @ KUDISH UDDIN R/O- SAHORA TOLA WARD NO. 11, P.S.-
CHAUSA, DISTT.- MADHEPURA

... .. Appellant/s

Versus

1. The State of Bihar
2. MEENA DEVI W/O- SANJAY SHARMA R/O- SAHORA TOLA WARD
NO. 11, P.S.- CHAUSA, DISTT.- MADHEPURA

... .. Respondent/s

Appearance :

For the Appellant/s : Ms. Patla Kumari , Advocate
For the Respondent/s : Mrs. Usha Kumari 1, Spl. PP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 13-11-2025 Heard learned counsel for the parties. Despite
valid service of notice , nobody appears on behalf of respondent
No. 2.

2. This appeal has been filed for setting aside order
dated 03.04.2024 passed in a case registered for the offence
punishable under sections 323, 341 , 354 B, 379, 504, 506 and
34 of the I.P.C, and Section 3 (I) (r) of S.C/S.T. Act, whereby
the prayer for anticipatory bail of the appellant has been



rejected.

3 . As per the prosecution case , informant namely, Meena devi alleged that on 23.01.2024 at about 9 AM, when informant went to ask demand his dues appellant Nos. 1 and 2 along with others abused her by caste name and also assaulted her and her brother-in -law by fists and slaps due to which they sustained injuries. It is further alleged that appellant No. 2 Kudush Alam tried to outrage modesty of informant.

4. It is submitted on behalf of appellant that both parties are co-villagers and there is money dispute between them and taking advantage of the situation , this false and concocted case has been lodged by informant. Rest of the allegation is ornamental in nature to make the case grave . From bare perusal of F.I.R. it is apparent that the alleged incident took place in the field which is far away from the public view and as such, no offence under SC / ST Act is made out. Appellant claims clean antecedent.

5 . Learned special public prosecutor for the State opposed the bail.

6. Considering the aforesaid facts, this appeal is allowed and the impugned order is set aside. Let the appellant, named above, in the event of arrest/surrender within a period of



eight weeks from the date of receipt/production of a copy of this order, be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional District & Session Judge - 1st cum- Special Judge Madhepura in connection with Chausa Police Station Case No. 19 of 2024 .

(Prabhat Kumar Singh, J)

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