

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.3132 of 2024

Arising Out of PS. Case No.-340 Year-2022 Thana- BIKRAM District- Patna

Sharda Kumari W/O Sushil Kumar Kapoor R/O Chandan B Apartment 401,
Jagdeo Path, Bailey Road, Patna, Ara Garden Road, Rukanpura, P.S-
Sheikhpura, Distt.- Patna. Presently Posted As Block Education Officer,
Khusrupur Block, Patna.

... .. Appellant/s

Versus

1. The State of Bihar
2. Rupa Rani Gaur W/O Ajay Kumar R/O Danapur Cantt Patna, Presently
Niyojit Teacher Rajkiya Buniyadi School, Nisarpura, P.S- Bikram, Distt.-
Patna.

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Jitendra Singh, Advocate
For the Respondent/s : Mr. Sadanand Paswan, Spl. P.P.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 15-05-2025 Despite valid service of notice, no one appears on
behalf of the respondent No. 2.

2. Heard learned counsel for the appellant and the
learned Special Public Prosecutor for the State.

3. This criminal appeal has been filed against the
order dated 25.05.2024 passed by learned Exclusive Special
Judge, SC/ST Act, Patna in ABP No. 2068 of 2024 in
connection with Bikram P.S. Case No. 340 of 2022, instituted
under Sections 341, 323, 354, 504 and 34 of the Indian Penal
Code and Sections 3(i)(r)(s) and 3(2)(va) of the Scheduled
Castes and Scheduled Tribes (Prevention of Atrocities) Act,



whereby the prayer for anticipatory bail of appellant has been rejected.

4. Prosecution case, in brief, is that on 30.07.2022, when the informant and two other teachers Rani Kumari and Ritu Raj asked the headmistress to show the order book, upon which the headmistress abused them. It is further alleged that when the informant objected the same, this appellant and other co-accused persons who were also teachers in the same school abused the informant by caste name and also pushed her.

5. Learned counsel for the appellant submits that appellant is innocent and has committed no offence. He further submits that the present case is the counter blast of Bikram P.S. Case No. 339 of 2022 lodged by the appellant against the informant and other accused persons. Appellant, other co-accused persons and informant are teachers in the same school and due to petty dispute, this false and concocted case has been lodged. It is not the case of informant that alleged incident occurred within the public view, as such, no offence under SC/ST Act is made out against appellant. Appellant 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 Judge, SC/ST Act, Patna in connection with **Bikram P.S. Case No. 340 of 2022.**

8. Accordingly, this criminal appeal is allowed and impugned order dated 25.05.2024 is set aside with respect to this appellant only.

(Prabhat Kumar Singh, J)

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