

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.3025 of 2025

Arising Out of PS. Case No.-153 Year-2023 Thana- MUZAFFARPUR TOWN District-
Muzaffarpur

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Manju Devi W/O Baidhyanath Singh Resident of Mohalla- New Colony Balu
Ghat, P.S. Town, District- Muzaffarpur

... .. Appellant/s

Versus

1. The State of Bihar
2. Raj Kapur Dhankar S/O Singeshwar Dhankar R/O Vill.- Jajua Tola Bhorha,
P.S.- Katra, Dist.- Muzaffarpur.

... .. Respondent/s

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Appearance :

For the Appellant/s	:	Mr. Satish Chandra, Advocate
For the State	:	Mr. Sadanand Paswan, Spl.P.P.
For the informant	:	Ms. Y. Madhavi, Advocate

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CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

4 20-11-2025 Heard learned counsel for the appellant, learned
counsel for the informant and learned Spl. P.P. 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 (hereinafter referred to as the “SC/ST
Act”) against the refusal of prayer for anticipatory bail vide
order dated 10.06.2025 in A.B.P. No. 297 of 2025 passed by the
learned Exclusive Special Judge S.C./S.T. (POA) Act,
Muzaffarpur in connection with Muzaffarpur Town P.S. Case
No. 153 of 2023 registered for the offences punishable under
Sections 420, 379, 323, 504 & 506/34 of the Indian Penal Code
as well as Sections 3(1)(r)(s) of the SC/ST Act.



3. The case of the prosecution in short is that the respondent was living with the family on rent in the house of the appellant's husband. It is further alleged that he has handed over Rs.8,65,000/- to the husband of the appellant for purchasing some land. It is further alleged that when the respondent requested for execution of sale deed, the husband of the appellant changed. It is alleged that the respondent was being abused with caste name. Ultimately on 15.09.2022, when the respondent asked the appellant to return the cash it is alleged that appellant and others abused with caste name and assaulted.

4. Learned counsel for the appellant submits that the occurrence is of 15.09.2022 whereas the FIR has been lodged on 25.02.2023. This huge delay is not explained. As far as giving amount of Rs.8,65,000/- is concerned, there is no agreement between the parties regarding the execution on any sale deed, even learned counsel for the respondent has also conceded that there is no agreement and the amount was given in cash on different dates. Learned counsel for the appellant has submitted that it is a dispute between landlord and tenant and moreover there is no role of the appellant in this case as she is the wife of the landlord. The nature of allegation is general and omnibus.



5. Learned Spl. P.P. for the State opposes the appeal.

6. In view of the submissions made by the learned counsel for the appellant, the order dated 10.06.2025 in A.B.P. No. 297 of 2025 passed by the learned Exclusive Special Judge S.C./S.T. (POA) Act, Muzaffarpur in connection with Town P.S. Case No. 153 of 2023 is hereby set aside and the appellant above-named, in the event of her arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds 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/successor court in connection with Muzaffarpur Town P.S. Case No. 153 of 2023 subject to the conditions as laid down under Section 482 (2) of the BNSS.

7. Accordingly the appeal stands allowed.

(Ashok Kumar Pandey, J)

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