

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.4073 of 2024

Arising Out of PS. Case No.-31 Year-2024 Thana- MOHANPUR District- Gaya

Sanichri Devi Wife of Rameshwar Yadav Resident of village - Khudua, P.S.-
Mohanpur, District - Gaya

... .. Appellant/s

Versus

1. The State of Bihar
2. Shankar Paswan Son of Jagdish Paswan Resident of village - Khudua, Police
Station - Mohanpur, District - Gaya

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Tilak Sao
For the Respondent/s : Mr.Sadanand Paswan, Spl. PP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

5 01-09-2025 1. Heard learned counsel for the appellant and learned
Spl. P.P. for the State, Shri Sadanand Paswan.

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 26-7-2024 in A.B.P. No. 199 of 2024 passed by the
learned Exclusive Special Judge S.C./S.T. (POA) Act, Gaya in
connection with Mohanpur P.S. Case No. 31 of 2024 registered
for the offences punishable under Sections 341, 323, 324, 308,
354, 427, 447, 448 and 34 of the Indian Penal Code as well as
Sections 3(1)(r)(s)(w) and 3(2)(va) of the SC/ST Act.



3. Learned counsel for the appellant submits that from perusal of the office report dated 30-8-2025, it would manifest that the same records that son of the respondent no.2 refused to take notice under ordinary post, hence the same was hung at the eastern gate of the house.

4. In view of the office report dated 30-8-2025, the notice is deemed to be validly served.

5. It is next submitted that appellant is a person with clean antecedent and is a woman and the informant alleges that on 10-04-2024 at 9 pm, the accused Pradeep came and started quarrelling with his daughter and thereafter he also assaulted her, further all the named accused persons, including the appellant came variously armed and started abusing by taking caste names and Baleshwar Yadav gave orders to assault, on which Mukesh assaulted the informant with *fasuli* causing injury on his ear, thereafter Nagendra assaulted with *lathi* on his head and the accused persons fled away.

6. Learned counsel appearing on behalf of the appellant submits that appellant has been falsely implicated in the instant case by the informant. It is next submitted that the allegation against the appellant is general and omnibus in nature. It is also submitted that entire occurrence is alleged to



have taken place at the house of the informant as such was not in public, hence no offence under the SC/ST Act is made out.

7. Learned Spl. P.P. for the State opposes the prayer for anticipatory bail of the appellant.

8. Considering the aforesaid facts, let the appellant above-named, in the event of her arrest or surrender before the learned trial trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 5,000/- (Rupees Five Thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with the aforesaid case, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

9. Accordingly, the impugned order is **set aside** and the appeal stands allowed.

(Satyavrat Verma, J)

Sumit/-

U		T	
---	--	---	--

