

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.4604 of 2024

Arising Out of PS. Case No.-17 Year-2024 Thana- SC/ST District- Sitamarhi

Ram Jinis Singh S/o Pitambar Singh R/o Village- Nonahi, P.S.- Parihar,
District- Sitamarhi

... .. Appellant/s

Versus

1. The State of Bihar Bihar
2. Shail Devi W/o Rajendra Baitha R/o vill - Nonahi Ward No. 09, P.S. -
Parihar, Distt. - Sitamarhi

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Ajay Kumar Tiwari, Advocate
For the Respondent/s : Mr. Sadanand Paswan, Spl.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

4 02-12-2025 1. Heard learned counsel for the appellant, learned
Special Public Prosecutor for the State and learned counsel
appearing on behalf of the informant.

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 05.09.2024 in A.B.P. No. 36/2024/164/2024 passed
by the learned 1st Additional Sessions Judge-cum-Special Judge
S.C./S.T. (POA) Act, Sitamarhi in connection with Sitamarhi
SC/ST P.S. Case No. 17 of 2024 registered under Sections 341,
323, 307, 354, 354(B), 504 and 506/34 of the Indian Penal Code
as well as Sections 3(I)(r)(s)(w)(i)(ii) and 3(2)(va) of the SC/ST



Act.

3. Learned counsel for the appellant submits that appellant has antecedent of one case and the informant alleges that her daughter-in-law was returning to her matrimonial home from her parental home on foot, when the appellant intercepted and asked her to meet him. On objection, the appellant being enraged dashed the daughter-in-law of the informant by his vehicle on account of which she fell down and sustained injury on head. The appellant assured that he will meet the expenses of treatment and returned to his house thereafter on 30.05.2024 informant went to the house of the appellant for demanding money for treatment of her daughter-in-law but she was abused by taking caste name and Binita ousted her from her door.

4. Learned counsel for the appellant submits that appellant has been falsely implicated in the instant case by the informant. It is further submitted that from perusal of the FIR, it would manifest that the date of occurrence is 28.04.2024 and the FIR came to be instituted on 03.05.2024, i.e., after a delay of four days of the occurrence. It is next submitted that from perusal of the allegation, it manifests that the informant alleges that her daughter-in-law was dashed by the vehicle of the appellant on account of which she fell down and sustained



injury and appellant assured to meet the cost of the treatment but when the appellant refused the instant case came to be instituted. It is also submitted that had any occurrence of the nature as alleged taken place in that event the informant would not have waited to institute an FIR, rather would have got her daughter-in-law treated. It is further submitted that as far as allegation of abuse is alleged, the same is not within the public view as the occurrence is alleged to have taken place within the premises of the appellant.

5. Learned Special Public Prosecutor and learned counsel appearing on behalf of the appellant opposed the prayer for anticipatory bail.

6. Considering the submissions made by the learned counsel appearing on behalf of the appellant, let the appellant, above named, in the event of his arrest or surrender before the learned Trial Court 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 Trial Court 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.



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

(Satyavrat Verma, J)

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