

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.5148 of 2023**

Arising Out of PS. Case No.-204 Year-2023 Thana- PATEPUR District- Vaishali

Mausmi Chandravanshi @ Mausam Chandravanshi Wife of Rakumar Mahto
Resident Of Kashturisari, P.S. - Patepur, District - Vaishali

... .. Appellant/s

Versus

1. The State Of Bihar
2. Dilip Paswan @ Teni Paswan Son Of Lakhindra Paswan Resident Of Kashturi Sarai, P.S. - Patepur, District - Vaishali

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Saroj Kumar Choudhary, Advocate

For the Respondent/s : Mr. Sadanand Paswan, Spl. Public Prosecutor

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER**

6 10-04-2025 Despite filing *Vakalatnama*, none appears on behalf of the respondent No. 2.

2. Heard learned counsel for the appellant and the State.

3. This appeal has been filed against the order dated 29.09.2023 passed by learned Exclusive Special Court SC/ST, Vaishali at Hajipur in connection with A.B.P. No. 2386 of 2023 and 2438 of 2023 arising out of Patepur P.S. Case No. 204 of 2023, registered under Sections 341, 323, 504, 506/34 of the Indian Penal Code and Section 3(1)(r)(s) of Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, whereby the prayer for anticipatory bail of appellant has been rejected.



4. As per prosecution case, this appellant is alleged to have abused informant by caste name and spat on his face.

5. Learned counsel for the appellant submits that allegation of assault is general and omnibus and there is no specific allegation of overt act against the appellant. Moreover, 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 the appellant. Appellant is lady and claims clean antecedent.

6. Learned Spl. Public Prosecutor for the State vehemently opposed the bail application.

7. Considering the nature of accusation and clean antecedent, 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 Exclusive Special Court SC/ST, Vaishali at Hajipur in connection with A.B.P. No. 2386 of 2023 and 2438 of 2023 arising out of Patepur P.S. Case No. 204 of 2023.

8. Accordingly, this criminal appeal is allowed and impugned order dated 29.09.2023 is set aside with respect to



this appellant only.

(Prabhat Kumar Singh, J)

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