

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.5124 of 2024

Arising Out of PS. Case No.-146 Year-2024 Thana- GANGABRIDGE District- Vaishali

1. Sunita Devi @ Sarita Devi W/o Sunil Rai R/o Diwantok, PS- Ganga Bridge, Dist- Vaishali
2. Sugiya Devi @ Priyanka Kumari W/o Anil Rai R/o Diwantok, PS- Ganga Bridge, Dist- Vaishali
3. Anita Devi @ Savita Devi W/o Wakil Rai R/o Diwantok, PS- Ganga Bridge, Dist- Vaishali

... .. Appellant/s

Versus

1. The State of Bihar
2. Abhishek Kumar Tripathi, P.S.I. at present S.H.O. Ganga Bridge P.S., Vaishali, Bihar Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Dilip Kumar Singh
For the Respondent/s : Mr.Usha Kumari 1

CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR PANDEY

ORAL ORDER

3 19-03-2025 Heard learned counsel for the parties.

2. This appeal has been preferred on behalf of the appellant under Section 14-A (2) of the SC & ST (Prevention of Atrocities) Act (for short ‘the Act’) for setting aside the order dated 07.10.2024 in connection with Ganga Bridge P.S.Case No. 146 of 2024 registered for the offences punishable under Sections 191(2), 191(3), 190, 329(3), 127(1), 115(2), 109, 132, 303(2), 74, 121(2), 352 and 351 (2) of the BNS and Section 3(i) (r), (s), 3(2)(va) of the Act, whereby the prayer for anticipatory bail of the appellants has been rejected.



3. As per the allegation, on the tip off, the informant along with other police personnel, proceeded to raid and surrounded the house of wanted accused Anil Rai and Wakil Rai and Anil Rai was arrested, in consequence whereof the villagers including the appellants having armed with bricks and *lathi danda*, etc, attacked the police party in which the informant and other police personnel sustained injuries.

4. The learned counsel for the appellants has submitted that they are the ladies of clean antecedents. No specific allegation has been assigned against appellant nos. 1 and 3. So far as appellant no.2 Sugiya Devi @ Priyanka Kumari is concerned, there is allegation to inflict assault on the hand of the injured Ashok Kumar Singh. It is also submitted that bare perusal of the FIR shows that the occurrence has not taken place due to malicious feeling of caste, as such the provisions of SC/ST Act are not attracted.

5. Considering the above mentioned facts and circumstances, the appeal is allowed and the impugned order dated 07.10.2024 is set aside. Accordingly, in the event of arrest or surrender within four weeks from today, the appellants, above-named shall be released on anticipatory bail on furnishing bail bond of Rs. 10,000/-(ten thousand) each, with two sureties



of the like amount each to the satisfaction of learned Exclusive
Special Judge (SC/ST Act)-cum- Addl. District and Sessions
Judge, Vaishali at Hajipur in connection with Ganga Bridge
P.S.Case No. 146 of 2024.

(Nawneet Kumar Pandey, J)

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