

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.5172 of 2024**

Arising Out of PS. Case No.-179 Year-2024 Thana- MAHNAR District- Vaishali

Lalmuni Devi @ Lal Muni Devi W/O Lakshman Sahni R/O village-
Mahamadpur Parmanandpur, P.S -Mahnar, District - Vaishali

... .. Appellant/s

Versus

1. The State of Bihar
2. Shila Devi W/o Budhan Paswan R/O village- Mahamadpur , P.S -Mahnar,
District - Vaishali

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr. Sanjeev Kumar, Advocate
For the Respondent/s	:	Mrs. Usha Kumari I, Spl.P.P.
For the informant	:	Mr. Ranjeet Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

4 04-12-2025 Heard learned counsel for the appellant, learned

Spl. P.P. 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 30.07.2024 in A.B.P. No. 1736 of 2024 passed by
the learned Exclusive Special Judge SC/ST Act-cum-Additional
District and Sessions Judge, Vaishali at Hajpur in connection
with Mahnar P.S. Case No. 179 of 2024 registered for the
offences punishable under Sections 323, 341, 354, 379, 308,



448, 504, 506 and 34 of the Indian Penal Code as well as Sections 3(1)(r), 3(1)(s) of the SC/ST Act.

3. Learned counsel for the appellant submits that the appellant is a person with clean antecedent and the informant alleges that on 09.06.2024 at 08:30 PM, 15 named accused persons along with 20-25 unknown accused came and started abusing by taking caste name and Diwakar, Laxman and Nitesh came inside their house and Laxman dashed her on the ground while Diwakar and Nitesh assaulted by *fatta* causing injury on head, thereafter, Lalmuni Devi snatched her chain when she became unconscious, while Rajkamal and Shravan took away a box and accused assaulted her sister-in-law and daughter-in-law also.

4. Learned counsel for the appellant submits that the appellant has been falsely implicated in the instant case by ornamental allegation of snatching the chain of the informant. It is next submitted that even presuming what has been alleged is true without admitting then the occurrence took place within the premises of the informant as such was not in public view hence, rigors of SC/ST is not attracted.

5. Learned counsel for the informant and learned Spl. P.P. for the State opposes the prayer for anticipatory bail of the



appellant.

6. Considering the aforesaid facts, let the appellant above-named, in the event of his 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 482 (2) of the BNSS.

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

(Satyavrat Verma, J)

AjayMishra/-

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