

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.5177 of 2024

Arising Out of PS. Case No.-50 Year-2024 Thana- DANDARI District- Begusarai

=====

Lila Devi Wife of Chandramauli Sharma @ Chandan Sharma Resident of
Village- Ward No. 01, Sisauni Kothi, VTC, Sisauni, P.O.- Sisauni Kothi, P.S.-
Dandari, District- Begusarai

... .. Appellant/s

Versus

1. The State of Bihar
2. Priyanka Kumari Wife of Gunjan Kumar Resident of Village- Ward No. 01,
Sisauni Kothi, VTC, Sisauni, P.O.- Sisauni Kothi, P.S.- Dandari, District-
Begusarai.

... .. Respondent/s

=====

Appearance :

For the Appellant/s : Mr. Pritish Kumar Lal, Adv.
For the Respondent/s : Ms. Usha Kumari 1, Spl.PP

=====

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

4 12-11-2025 Heard Mr. Pritish Kumar Lal, learned counsel for the

appellant and Ms. Usha Kumari No. 1, learned Spl.PP for the

State.

2. The instant appeal has been preferred by the
appellant under section 14A(2) of the Scheduled Castes and the
Scheduled Tribes (Prevention of Atrocities) Act, 1989 (in short
‘SC/ST Act’), against the order dated 06.07.2024 passed by the
court of learned Exclusive Special Judge, SC/ST, (PoA) Act,
Begusarai, in connection with ABA No. 1352/2024, arising out
of Dandari P.S. Case No. 50/2024, by which the appellant's
prayer for anticipatory bail has been rejected.

3. The main submissions advanced by the learned



counsel for the appellant are that the matter relates to the simple *marpit* and the offences of the SC/ST Act under which the FIR has been registered are not applicable in the instant matter as the informant does not belong to SC/ST category as her caste is Tanti and the same has been removed from the list of the Scheduled Castes and further in the FIR, there is no specific allegation against the appellant and the FIR has been registered against eleven personss.

4. Learned Spl. PP appearing for the State has accepted the aforesaid submission regarding the informant not falling under the category of Scheduled Caste.

5. Considering the aforesaid submissions and mainly the fact that it is in admitted position that the informant does not fall in the category of Scheduled Caste and in the FIR, there is no specific allegation against the appellant who is a lady and the same has been registered against several persons and a land dispute is said to be the genesis of the occurrence, in my opinion, the appellant deserves the privilege of anticipatory bail as her prayer is not hit by Section 18 of the SC/ST Act.

6. Accordingly, the instant appeal stands allowed and the impugned order is hereby set aside.

7. Let the appellant, above named, in the event of her



arrest/surrender within four weeks from today before the Court below, be released on bail on furnishing bail bond of Rs. 20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Judge, SC/ST, (PoA) Act, Begusarai, arising out of Dandari P.S. Case No. 50/2024, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Shailendra Singh, J)

Rajiv/-

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

