

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.4233 of 2024

Arising Out of PS. Case No.-488 Year-2024 Thana- AGAMKUAN District- Patna

1. Kiran Devi Wife of Ramesh Bharti Mohalla- Bari Pahari Mushari, P.S.- Agam Kuan, Dist.- Patna
2. Neha Devi @ Neha Kumari Wife of Prakash Bharti Mohalla- Bari Pahari Mushari, P.S.- Agam Kuan, Dist.- Patna

... .. Appellant/s

Versus

1. The State of Bihar
2. Laddu Paswan Son of Ramanand Paswan Mohalla- Bari Pahari Mushari, P.S.- Agam Kuan, Dist.- Patna

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Satyendra Narayan
For the State : Mr.Sadanand Paswan
For the O. P. No. 2 : Mr. Rabindra Prasad Singh

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 5 23-02-2026 1. Heard learned Counsel for the appellants, learned Counsel for the Opposite Party No. 2 and learned Additional Public Prosecutor for the State.
2. An order, dated 03.08.2024 passed by learned Exclusive Special Judge, SC/ST, Patna, in A.B.P. No. 2643 of 2024, is under challenge in the present appeal preferred under Section 14-A(2) of the Scheduled Caste and Scheduled Tribes (Prevention of Atrocities) Act, 1989, whereby the anticipatory bail application of the appellants in connection with Agam Kuan Police Station Case No. 488 of 2024, registered for the offences punishable under



Sections 341/323/324/504/506/34 of the Indian Penal Code and Section 3 (i) (r) (s) of the Scheduled Caste and Scheduled Tribes (Prevention of Atrocities) Act, 1989, has been rejected.

3. The prosecution case, as per the First Information Report, is that on 14.06.2024, at about 10 AM, in the morning, while the informant was placing his cart near his house, his neighbours, i.e. the appellants, along with other co-accused persons, objected the informant from placing his cart and when the informant told him that he was placing his cart near his house, the appellants and other co-accused persons abused the informant and assault him with lathi on his head.
4. Learned Counsel appearing on behalf of the appellants submits that the appellants are ladies and the entire family members have been made accused due to the fact that on the same day, i.e. on 14.06.2024, at about 09:30 AM, the informant and his family members assaulted the appellant Kiran Devi, due to the dispute of drainage between them. The First Information Report has been lodged by the appellant no. 1 against the informant and others, having Agam Kuan Police Station Case No. 487 of 2024. The



First Information Report lodged by the side of the appellants is prior in time to the present First Information Report. The present First Information Report is a counter blast to the First Information Report lodged by the appellants' side. No injury has been produced on record by the prosecution on the head of the informant. He submits that similarly situated co-accused persons, Rakesh Bharti and Prakash Bharti (by order, dated 12.11.2025, passed in Criminal Appeal (SJ) No. 4286 of 2024) have been granted anticipatory bail by a co-ordinate Bench of this Court.

5. Learned Counsel for the Opposite Party No. 2 argued that there is specific allegation of assault by the appellants and other accused persons and the informant was admitted to the hospital.
6. Having heard learned Counsel for the parties concerned and taking into consideration the nature of allegation and the fact that both the appellants are ladies and similarly situated co-accused persons have been granted anticipatory bail by a co-ordinate Bench of this Court, I am inclined to grant anticipatory bail to the appellants.
7. Accordingly, this appeal is allowed and the order, dated



03.08.2024, passed in A.B.P. No. 2643 of 2024, by learned Exclusive Special Judge, SC/ST, Patna, is set aside.

8. Let the appellants, above named, be released on bail on furnishing bail bonds 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, Patna, in connection with Agam Kuan Police Station Case No. 488 of 2024, subject to the condition laid down under Section 482 (2) of the Bharatiya Nagarik Suraksha Sanhita, 2023.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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