

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.4920 of 2024**

Arising Out of PS. Case No.-312 Year-2024 Thana- RAFIGANJ District- Aurangabad

Saroja Devi @ Saroj Devi W/O Ravindra Yadav R/O Village- Dhosila Kala,
P.S- Rafiganj, Distt.-Aurangabad, Bihar.

... .. Appellant/s

Versus

1. The State of Bihar
2. Anita Devi D/O Harendra Chaudhary R/O Village- Dhosila Kala, P.S-
Rafiganj, Distt.- Aurangabad, Bihar.

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Lalbahadur Singh, Advocate
For the Respondent/s : Mr.Binay Krishna, Spl.PP

**CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL JUDGMENT**

Date : 17-07-2026

Despite valid service of notice, there is no representation on behalf of respondent no. 2.

02. Heard learned counsel for the appellant as well as learned Spl.PP for the State

03. This is an appeal under Section 14(A)(2) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 against the refusal of prayer for anticipatory bail vide order dated 23.09.2024 passed by the learned Special Judge (SC/ST) -cum- 1st Additional District & Sessions Judge, Aurangabad, Bihar in A.B.P. No. 2009 of 2024,



arising out of Rafiganj P.S. Case No. 312 of 2024, registered for the alleged offences under Sections 3(5), 109, 115(2), 118(1), 126(2) BNS and Sections 3(1)(r), 3(1)(s), 3(1)(w) & 3(2)(va) of the Scheduled Castes and Scheduled Tribes Act.

04. As per the prosecution case, the appellant and other co-accused persons entered into the house of the informant and assaulted her.

05. The learned counsel for the appellant submits that the appellant is innocent and has been falsely implicated in this case. No occurrence as alleged has ever taken place. The present case is the result of land dispute between the parties and there is a counter case instituted by co-accused Ramkrit Yadav being Rafiganj P.S. Case No. 311 of 2024 and the genesis of the occurrence is that the co-accused has been fencing his land and the informant and her family members assaulted him causing injury to him. Learned counsel thus submits that there was no intention to humiliate the informant side by taking their caste name rather it appears to be a case of scuffle and free fight between two groups over some land dispute and this fact depicts from the counter case and the present case has been lodged by the informant only with a view to save their skin from the counter case. The learned counsel further submits that the



appellant is a lady and there is no specific allegation against her that she insulted the informant by taking her caste name in a public place. No independent witness has supported the version of the informant and it appears that the informant has instituted the present case in order to create defence. The appellant is having antecedent of one case which has been instituted under different provisions of the IPC and sections 3(1)(r), 3(2)(1), 3(2)(va) of SC/ST (PoA) Act in which she is on bail.

06. Learned Spl. PP vehemently opposes the submission made on behalf of the appellant. Learned Spl. PP submits that the appellant and other co-accused persons took caste name of the informant and also assaulted her.

07. Having regard to the submissions made on behalf of the parties and considering the case and counter version and also considering the background of land dispute and further considering the possibility of false implication, let the appellant above named, in the event of her arrest or surrender before the court concerned within a period of eight weeks from today, be released on bail, on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand Only) with two sureties of the like amount each to the satisfaction of learned Special Judge (SC/ST) -cum- 1st Additional District & Sessions Judge,



Aurangabad, Bihar in connection with Rafiganj P.S. Case No. 312 of 2024, subject to the condition as laid down under Section 482(2) BNSS and other following conditions:

- (i) One of the bailors will be a close relative of the appellant.*
- (ii) The appellant will remain present on each and every date fixed by the court below, if so required by the learned trial court.*

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

(Arun Kumar Jha, J)

DKS/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	18.07.2026
Transmission Date	18.07.2026

