

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.5554 of 2024

Arising Out of PS. Case No.-24 Year-2024 Thana- CHANAN District- Lakhisarai

Sakuntla Devi @ Shakunti Devi W/o - Ramotar Yadav Village- Mahuliya Ps-
Chanan Dist- Lakhisarai

... .. Appellant/s

Versus

1. The State of Bihar
2. Sri Rajkamal, Assistant Settlement Officer cum Shivir Prabhari at Panchayat
Bhawan Kunder Kunder Ps- Chanan Dist- Lakhisarai

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Umesh Prasad
For the Respondent/s : Mr. Binay Krishna

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

5 03-02-2026 1. Heard learned counsel for the appellant, the learned
Special P.P. Mr. Binay Krishna and the 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 14.11.2024 in A.B.A. No. 835/2024 passed by the
learned District and Additional Sessions Judge-I-cum-Special
Judge, SC/ST Act, Lakhisarai, in connection with Chanan P.S.
Case No.24/2024, registered under Sections 323, 353, 504, 506,
379 of the Indian Penal Code as well as Sections 3(1)(r)(s), 3(2)



(va) of the SC/ST Act.

3. Learned counsel for the appellant submits that the appellant has antecedent of one case and is a woman and the informant alleges that he is Assistant Settlement Officer-cum-Shiwir Prabhari at Panchayat Bhawan and the appellant came and abused him by taking caste name and also snatched his mobile.

4. Learned counsel for the appellant submits that appellant has been falsely implicated in the instant case by the informant. It is next submitted that from perusal of the allegation as alleged in the FIR, the same does not inspire confidence for the reason that the FIR does not disclose that as to why the appellant had come to the office of the informant. It is next submitted that appellant had gone to the office of the informant for getting a government land settled in her favour but then a dispute arose and the appellant also instituted a case against the informant being Chanan P.S. Case No.23 dated 06.03.2024. It is submitted that from perusal of the FIR instituted by the appellant, it would manifest that she alleges that on 05.03.2024, she had gone to the office for getting a land settled in her favour on advise of Dularchand and Suchit, who had informed her that an amount of Rs.20,000/- is required for



getting the job done but then the present informant acted inappropriately with her. It is also submitted that no doubt the informant had snatched the mobile of the informant but then the same was returned to the police, as such, appellant had no intention of committing theft rather out of anger, the act was committed.

5. Learned Special Public Prosecutor Mr. Binay Krishna and the learned counsel appearing on behalf of the informant opposes the prayer for anticipatory bail of the appellant but then are not in a position to rebut the submission of the learned counsel appearing on behalf of the appellant that the FIR instituted by the informant does not disclose that as to why the appellant had come to the office of the informant and that the mobile was returned to the police.

6. At this stage, the learned counsel for the informant submits that police after investigation submitted charge sheet but then cognizance till date has not been taken.

7. Considering the submission of the learned counsel for the appellant, the order impugned is set aside. Let the appellant, above named, in the event of her arrest or surrender before the learned Court below within a period of six weeks from the date of receipt of the order, be released on anticipatory



bail on furnishing bail bond of Rs.5,000/- (rupees five thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending in connection with the aforesaid case, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

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

(Satyavrat Verma, J)

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