

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.317 of 2025

Arising Out of PS. Case No.-215 Year-2024 Thana- SARAI District- Vaishali

Madhu Kumari W/O Rajendra Ray @ Rajan Rai Resident Of Village-
Majhauri, Mahammadpur Bujurg, P.S.- Sarai, District- Vaishali, Hajipur
... .. Appellant/s

Versus

1. The State of Bihar
2. Adarsh Kumar, Police Sub-Inspector (PSI), Sarai P.S., Dist.- Vaishali Bihar
... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Ramakant Singh, Advocate
For the Respondent/s : Mr. Sadanand Paswan, Spl. Public Prosecutor

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 20-03-2025 Heard learned counsel for the appellant and the State.

2. This criminal appeal has been filed against the order dated 25.11.2024 passed by learned Exclusive Special Judge (SC/ST Act)-cum-Additional District & Sessions Judge, Vaishali at Hajipur in ABP No. 2847 of 2024 in connection with Sarai P.S. Case No. 215 of 2024, instituted under Sections 191(1) , 190, 126, 115 , 117, 121(1) (2), 1323, 74, 352 and 3(5) of the Bharatiya Nyaya Sanhita and Sections 3(i)(r)(s)/3(2)(v)(a) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, whereby the prayer for anticipatory bail of appellant has been rejected.

3. As per the prosecution case, on 22.09.2024, informant got secret information that all the accused persons including this appellant are selling illegal liquor from their



house and upon this information informant along with other police party surrounded the house and requested to open the door to search their house, in the meantime, all the accused persons armed with *lathi* and *danda*, abused by caste name and assaulted informant and other police personnel due to which some of them sustained injuries. Appellant has got one criminal antecedent.

4. Learned counsel for the appellant submits that appellant is innocent and has committed no offence. The house in question does not belong to the appellant and she has got no concern with the alleged occurrence. It is not the case of informant that alleged incident occurred within the public view, as such, no offence under SC/ST Act is made out against appellant. Appellant has got one criminal antecedent.

5. Learned Spl. Public Prosecutor for the State vehemently opposed the bail application.

6. Considering the allegation that appellant assaulted police personnel, I do not find any reason to interfere with the impugned order, accordingly, this appeal is dismissed.

(Prabhat Kumar Singh, J)

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