

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL APPEAL (SJ) No.283 of 2025**

Arising Out of PS. Case No.-477 Year-2024 Thana- KAHALGAON District- Bhagalpur

1. Indrabati Devi Wife of Gaiju Yadav @ Gajadhar Yadav Resident of village- Lalpur Bhader, PS- Kahalgaon, District- Bhagalpur
2. Sulekha Devi @ Shekha Devi @ Sikha Devi Wife of Chunchun Yadav Resident of village- Lalpur Bhader, PS- Kahalgaon, District- Bhagalpur
3. Babita Devi @ Bbita Kumari D/O- Gaiju Yadav @ Gajadhar Yadav Resident of village- Lalpur Bhader, PS- Kahalgaon, District- Bhagalpur

... .. Appellant/s

Versus

1. The State of Bihar
2. Sobha Devi Wife of Arun Das Resident of village- Lalpur Bhader, PS- Kahalgaon, District- Bhagalpur

... .. Respondent/s

**Appearance :**

For the Appellant/s : Mr.Ankit Raj, Advocate

For the Respondent/s : Mr.Binay Krishna, Spl. P.P.

**CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR**  
**ORAL ORDER**

4      25-11-2025                      Heard learned counsel for the appellants, learned counsel for the informant and learned Spl. P.P. for the State.

2. This appeal is preferred against the order dated 17.12.2024 passed by the learned District and Additional Sessions Judge-III-cum Special Judge SC/ST (POA) Act, Bhagalpur in A.B.P. No. 2929 of 2024 in connection with Kahalgaon P.S. Case No. 477 of 2024 registered under Sections 115(2), 126(2), 74, 76, 352, 351(2), 191(2) of the B.N.S. and under Section 3(1)(i), 3(1)(r), 3(1)(s) of the SC/ST (POA) Act by which the prayer of the appellants for grant of anticipatory



bail has been rejected.

3. As per the prosecution case, several accused persons including the appellants assaulted the informant with weapons, injuring her badly.

4. Learned counsel for the appellants submits that the appellants are women and have falsely been implicated in this case and no offence under the provisions of SC/ST Act is made out in this case as the occurrence has taken place due to trivial issue and therefore the application of the anticipatory bail is maintainable.

5. Learned counsel for the State and learned counsel for the informant have opposed the prayer of the appellants.

6. From the reading of the entire FIR it does not appear that offence has been committed against the informant on the ground that she is a member of SC/ST community and primarily, it appears that the occurrence has taken place due to trivial issue.

7. In these circumstances, this application for grant of anticipatory bail is held to be maintainable.

8. Considering the facts of the case and the rival submissions of the parties, this appeal is allowed and accordingly, the order dated 17.12.2024 passed by the learned



District and Additional Sessions Judge-III-cum Special Judge SC/ST (POA) Act, Bhagalpur in A.B.P. No. 2929 of 2024 in connection with Kahalgaon P.S. Case No. 477 of 2024, is hereby set aside.

9. Let the appellants, in the event of their arrest or surrender within four weeks from today, be released on bail on furnishing bail bonds of Rs. 10,000/-(Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned District and Additional Sessions Judge-III-cum Special Judge SC/ST (POA) Act, Bhagalpur /concerned Court below in connection with Kahalgaon P.S. Case No. 477 of 2024, subject to the conditions laid down under Section 438(2) of the Code of Criminal Procedure/482(2) of the BNSS.

(Sandeep Kumar, J)

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