

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.749 of 2025

Arising Out of PS. Case No.-103 Year-2024 Thana- CHEWARA District- Sheikhpura

Meera Devi @ Meera Kumari, Wife Of Sahdev Rajak @ Sahdeo Rajak,
Resident of Village- Gagri Police Station- Sirari, District- Sheikhpura

... .. Appellant/s

Versus

1. The State of Bihar
2. Pramila Devi @ Pramila Kumari, W/o- Late Pintu Rajak, Village-
Husainabad, P.S.- Ariari Dist.- Sheikhpura

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr. Nilendu Kumar Choudhary, Advocate
For the Respondent No. 2	:	Mr. Bipin Kumar, Advocate
		Mrs. Sarita Kumari, Advocate
For the State	:	Mr. Binay Krishna, SPP

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

3 24-04-2025 Heard learned counsel for the appellant and learned
Special Public Prosecutor for the State.

2. This is an appeal under Section 14(A)(2) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 against the rejection of prayer of bail of the appellants vide order dated 28.01.2025 passed by the learned District & Additional Sessions Judge, 1st-cum-Special Judge, SC/ST Act, Sheikhpura in connection with Chewara P.S. Case No. 103 of 2024 registered for the alleged offences punishable under Sections 103 read with 3(5) of the B.N.S. & Section 27 of the Arms Act & Section 3(2), (va) of SC/ST (PoA) Act.



3. As per prosecution case, while the husband of the informant was going to the school on his motorcycle at about 9.15 am, on the way the co-accused Shankar Singh, Meera Devi (appellant) who is the headmaster of Middle School of Gagri and other unknown criminals stopped her husband and fired on his chest causing injury. Thereafter, the husband of the informant was taken to the hospital and declared dead. It is further alleged that the cause of incident was the dispute for taking charge of the School. The B.E.O. Gagri had scolded Meera Devi @ Meeral Kumari due to which the occurrence took place.

4. Learned counsel for the appellant submits that the appellant is innocent and has falsely been implicated in this case due to village politics. As per FIR there is no specific allegation against the appellant. The informant is not the eye witness of the occurrence and the entire allegation leveled is based only on suspicion. It is also submitted that the cause of incident has already been redressed much prior to the occurrence took place. The charge-sheet has been submitted against the appellant. There is no allegation of abusing against the appellant hence, no offence under provisions of SC/ST Act is made out against the appellant. The appellant has no concern with the alleged



offence. The appellant is in custody since 28.12.2024. The appellant has no criminal antecedent as stated in para 3 of the bail petition.

5. Learned Special Public Prosecutor for the State has opposed the prayer for bail of the appellant and submitted that the *post-mortem* report supports the prosecution story as stated by the informant. As per the *post-mortem* report, the cause of death is due to massive *Haemorrhage* due to gunshot. The appellant was present at the spot. It is further stated that the witnesses in para 12, 37 and 38 of the case diary have stated that the petitioner and the co-accused persons along with unknown miscreants in connivance with one another stopped the informant's husband and fired on his chest causing to his death.

6. Considering the aforesaid facts and circumstances of the case as well as the heinous nature of the allegation against the appellant, I am not inclined to set aside the impugned order dated 28.01.2025 passed by the learned District & Addl. Sessions Judge- 1st-cum-Special Judge, SC/ST (PoA) Act, Sheikhpura in connection with Chewara P.S. Case No. 103 of 2024 and accordingly, the prayer for bail of the appellant is rejected.

7. The learned trial court is directed to conclude the



trial of the appellant at the earliest.

(Chandra Prakash Singh, J)

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