

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL APPEAL (SJ) No.902 of 2024**

Arising Out of PS. Case No.-1130 Year-2023 Thana- MADHEPURA District- Madhepura

Shobha Devi @ Sobha Devi Wife Of Mritunjay Kumar Resident Of Village -  
Bhan Ward No. 06, P.S. - Madhepura, District - Madhepura

... .. Appellant/s

Versus

The State Of Bihar

... .. Respondent/s

**Appearance :**

For the Appellant/s : Mr.Pawan Kumar, 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 appellant and learned  
Spl. P.P. for the State.

2. This appeal is preferred against the order dated 23.01.2024 passed by the Learned Additional Sessions Judge-I-cum-Special Judge SC/ST (POA) Act, Madhepura in connection with Madhepura P.S. Case No. 1130 of 2023 registered under Sections 341, 323, 324, 379, 354(B), 504, 506/34 of the Indian Penal Code and under Section 3(i)(r)(s)(w) of the SC/ST (POA) Act by which the prayer of the appellant for grant of anticipatory bail has been rejected.

3. As per the prosecution case, the informant alleged that the appellant's husband abused and assaulted her with iron rod and even stole jewellery and cash.

4. Learned counsel for the appellant submits that the



appellant has 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 dispute arising from village politics and therefore the application of the anticipatory bail is maintainable.

5. Learned counsel for the State has opposed the prayer of the appellant.

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 dispute arising from village politics.

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 23.01.2024 passed by the Learned Additional Sessions Judge-I-cum-Special Judge SC/ST (POA) Act, Madhepura in connection with Madhepura P.S. Case No. 1130 of 2023, is hereby set aside.

9. Let the appellant, in the event of her arrest or surrender within four weeks from today, be released on bail on



furnishing bail bonds of Rs. 10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge-I-cum-Special Judge SC/ST (POA) Act, Madhepura/ concerned Court below in connection with Madhepura P.S. Case No. 1130 of 2023, 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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