

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.777 of 2025

Arising Out of PS. Case No.-216 Year-2024 Thana- JAYNAGAR District- Madhubani

Neelam Devi Wife of Laxman Mahto Resident of Village- Harishwara, PS-
Khajauli District- Madhubani

... .. Appellant/s

Versus

1. The State of Bihar
2. Lalita Devi Wife of Late Ram Lakhan Safi Resident of Village- Khajauli
Gahhat Ward No.2, P.S.- Khajauli, Distt.-Madhubani

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr. Gagandeo Yadav, Advocate
	:	Mr. Ravi Prakash, Advocate
	:	Mr. Udeshya Kumar Yadav, Advocate
For the Respondent/s	:	Mr. Binay Krishna, SPP
For the Informant	:	Mr. Sanjay Kumar Jha, Advocate

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

3 04-04-2025 Heard learned counsel for the appellant, learned

Special Public Prosecutor for the State and learned counsel for

the informant. Perused the case diary.

2. The instant appeal has been filed by the appellant
against the order dated 30.01.2025 passed by learned Additional
Session Judge Ist cum Special Judge, Madhubani whereby the
prayer for bail of the appellant in connection with Jayanagar P.S.
Case No. 216 of 2024 under Sections 103(1), 3(5) of BNS and
25(1-b)a, 26 of the Arms Act and Sections 3(i)(r), 3(2)(v) of
SC/ST Act was rejected.

3. Accusation against the accused persons including



the appellant is of committing the murder of informant's husband by shooting him.

4. Learned counsel for the appellant submits that the appellant is lady and has falsely been implicated in the present case. Charge-sheet has been submitted in this case. Learned counsel further submitted that informant is not eye-witness to the occurrence. Learned counsel further submitted that the specific allegation of firing is against co-accused Md. Mahboob who has also confessed his guilt of firing upon the deceased. Learned counsel for the appellant further submitted that the appellant has not taken the caste name of the informant in public view, hence, no offence under the provisions of SC/ST Act is made out against him. The appellant has no intention to disgrace the image of the informant in public view. The appellant is in custody since 28.07.2024 and has no criminal antecedent.

5. Learned Special P.P. for the State and the informant have vehemently opposed the prayer for grant of bail to the appellant. Learned APP further submitted that this appellant has confessed her guilt and on the basis of disclosure made by her the weapon used in the commission of murder of the deceased was also recovered and therefore, her involvement in the alleged offence cannot be discarded.



6. Considering the aforesaid facts and circumstances of the case as also the confessional statement of this appellant as per the case diary, this Court is not inclined to grant bail to the appellant.

7. Accordingly, the present appeal is dismissed.

8. Learned Trial Court is directed to expedite the trial.

9. However, if the trial is not concluded after a period of nine months, liberty is granted to the appellant to renew her prayer for grant of bail before the court below itself. If any such application is filed before the learned court below, the same shall be disposed of on its own merit without being prejudiced by this order.

(Rudra Prakash Mishra, J)

Alok Verma/-

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