

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.961 of 2025

Arising Out of PS. Case No.-44 Year-2024 Thana- SC/ST District- Sheikhpura

Sashi Bhushan Prasad @ Sashi Bhushan Mahto @ Bhola Son of Radhe Prasad R/o - Village- Hasanganj, P.S And District - Sheikhpura

... .. Appellant

Versus

1. The State of Bihar
2. Sobha Devi Wife of Late Mahesh Prasad Chaudhary Resident of Village- Hasanganj, P.S. and Distt.- Sheikhpura

... .. Respondents

Appearance :

For the Appellant	:	Mr. Pankaj Kumar, Advocate
For the Respondents	:	Mr. Binay Krishna, Spl. P.P.

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

5 25-11-2025 Heard learned counsel for the appellant, learned Special Public Prosecutor for the State and learned counsel for the informant / respondent no.2.

2. This appeal is preferred against the order dated 28.01.2025 passed by the learned 1st District & Additional Sessions Judge-cum-Special Judge, S.C./S.T. Act, Sheikhpura, in connection with Sheikhpura S.C./S.T. P.S. Case No.44 of 2024 registered for the offence under sections 126, 115(2), 74, 352, 351 & 3/5 of the B.N.S., 2023 and under sections 3(1)(r) (s)/3(2)(va) of the S.C./S.T. Act, by which the prayer of the appellant for grant of anticipatory bail has been rejected.

3. As per the F.I.R., while the informant was in



her, the accused persons including the petitioner came there and entered into the house of the informant and abused her by taking caste name. It is also alleged that all the accused persons also assaulted the informant and her son.

4. Learned counsel for the appellant submits that there is previous enmity between the parties and as a result of which, the present F.I.R. has been lodged by the informant. He further submits that because the appellant used to object the illegal manufacture and sale of illicit liquor near his house, the present F.I.R. has been lodged by the informant, which is evident from the reading of the F.I.R.

5. Learned Special Public Prosecutor for the State and learned counsel for the informant opposed the prayer of the appellant for grant of bail.

6. I have considered the submissions of the parties. On perusal of the F.I.R., I *prima facie* find substance in the submission made on behalf of the appellant that he has been implicated in this case because of his earlier complaints directed against the informant for illegal sale of illicit liquor.

7. Accordingly, this appeal is allowed and the the impugned order is set aside.

8. 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 learned 1st District & Additional Sessions Judge-cum-Special Judge, S.C./S.T. Act, Sheikhpura / concerned Court, in connection with Sheikhpura S.C./S.T. P.S. Case No.44 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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