

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1168 of 2025

Arising Out of PS. Case No.-1320 Year-2024 Thana- NAWADA District- Nawada

Bhawani Kumari Daughter of Abhay Kumar @ Pappu Singh, Resident of
Village - Diaura, P.S. - Pakribarawan, District - Nawada (Bihar).

... .. Appellant

Versus

1. The State of Bihar
2. Sulochana Kumari W/o Bipin Kumar Paswan, R/o Village- Dhodha, P.S.-
Dhamaul, Distt.- Nawada.

... .. Respondents

Appearance :

For the Appellant : Mr. Prabhas Ranjan, Advocate

For the Respondents : Mr. Binay Krishna, Spl. P.P.

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

3 01-05-2025 Heard learned counsel for the appellant, learned
counsel for the informant and the learned Special Public
Prosecutor appearing on behalf of the State.

2. This is an appeal under Section 14A(2) of the
Scheduled Castes and Scheduled Tribes (Prevention of
Atrocities) Act, 1989 against the rejection of prayer for bail *vide*
order dated 20.01.2025 passed by the learned Exclusive Special
Judge SC/ST (PoA) Act, Nawada, in connection with Nawada
Town P.S. Case No. 1320 of 2024 dated 10.11.2024 registered
for the offences punishable under Sections 103(1), 238(a) and
324(1) read with Section 3(5) of the B.N.S. and under Section
3(2)(v) of the SC/ST (PoA) Act.

3. As per the prosecution case, the brother-in-law



(*dewar*) of the informant was running a coaching at Nawada and on 06.11.2024, he told the informant that he was going to Nawada on motorcycle to collect certificate, but he did not return and on the next day she received information regarding recovery of a motorcycle and a dead body, which she identified as her brother-in-law (*dewar*).

4. Learned counsel for the appellant has submitted that the appellant has falsely been implicated in the present case due to ulterior motive. He next submitted that appellant is not named in the FIR and her name has transpired on the basis of confessional statement of the co-accused person namely, Sudhanshu Kumar @ Chhotu Kumar. He has next submitted that there is no eyewitness to the alleged occurrence and since the appellant was the student of the coaching institute of the deceased, she has falsely been implicated in the present case merely on the basis of suspicion. Learned counsel has further submitted that the caste name was not disclosed by anyone at the time of the alleged occurrence, hence no case is made out under SC/ST Act. The appellant has clean antecedent as stated in paragraph no. 3 of the bail petition. The appellant is in custody since 16.11.2024.

5. Learned counsel for the informant as well as



learned Special Public Prosecutor for the State on the basis of materials available on record and case diary has vehemently opposed the bail petition of the appellant and submitted that in the paragraph no. 50 of the case diary, the co-accused Sudhanshu Kumar @ Chhotu Kumar had confessed his guilt and has clearly stated that he along with the appellant and her brother was involved in the murder of the deceased.

6. Considering the aforesaid facts and circumstances of the case as well as the specific and heinous nature of allegation levelled against the appellant, I am not inclined to set aside the impugned order dated 20.01.2025 passed by the learned Exclusive Special Judge SC/ST (PoA) Act, Nawada, in connection with Nawada Town P.S. Case No. 1320 of 2024 and accordingly, the prayer for bail of the appellant is rejected.

7. The learned trial Court is directed to expedite and conclude the trial of the appellant at the earliest.

(Chandra Prakash Singh, J)

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