

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1590 of 2025

Arising Out of PS. Case No.-3 Year-2025 Thana- SC/ST District- Gaya

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Rina Verma, Female, aged about 40 years, W/O Ajay Narayan Verma @ Mannu Kumar @ Munnu Kumar R/O Vill.- Kujapi, P.S.- Chandauti, Dist.- Gaya

... .. Appellant/s

Versus

1. The State of Bihar
2. Malo Devi W/O Baijnath Choudhary R/O Vill.- Kujapi, P.S.- Chandauti, Dist.- Gaya

... .. Respondent/s

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Appearance :

For the Appellant/s	:	Mr.Praveen Kumar Advocate
For the State	:	Ms.Usha Kumari 1, Spl PP
For the Respondent no.2	:	Mr. Rohit Raj, Advocate

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CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

4 12-11-2025 Heard learned counsel for the appellant, learned counsel for respondent no.2 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 (hereinafter referred to as the “SC/ST Act”) against the refusal of prayer for bail vide order dated 20-03-2025 passed by the learned Exclusive Special Judge SC/ST, Gaya, in connection with SC/ST P.S. Case No. 03 of 2025 registered for the offences punishable under Sections 126(2), 115(2), 109, 111(7), 351(2), 352 and 3(5) of the BNS read with sections 3(i)(r)(s)(f)(g), 3(2)(v), 3(2) (va) of the



SC/ST (POA) Act.

3. The case of the prosecution, in brief, is that on 30.12.2024, at about 11-12 A.M., the informant unloaded soil and stone chips on the land bearing Khata No. 391, Plot No. 415. Later, when the informant visited the land, she found the land already filled with soil. When the informant objected, the co-accused namely, Munnu Kumar and Chunnu Kumar, abused the informant using caste-related abusive words and said they had taken possession of the land and would seize all of it. Other accused persons, armed with bats and *lathis*, then assaulted the informant and her husband, Baijnath Chaudhary, with the intention to kill on account of which both sustained head injuries. It is alleged that all the accused have forcibly taken possession of the informant's land.

4. Learned counsel for the appellant submits that the appellant is innocent and she has been falsely implicated in this case. There is no specific allegation against the appellant under the provisions of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act. The only allegation made against her is that she abused and assaulted the informant and her husband with her leg. It is further submitted that the main allegations are attributed against the co-accused persons, namely



Munnu Kumar, Chunnu Kumar and son of Munnu Kumar. The First Information Report (FIR) was lodged after a delay of six days from the date of the alleged occurrence. The appellant, who is the wife of co-accused Munnu Kumar (Ajay Narayan Verma), has no criminal antecedents.

5. Learned Special Public Prosecutor for the State as well as learned counsel for respondent no.2 vehemently opposed the prayer of the appellant.

6. Having considered the facts and circumstances of the case, let the above named appellant, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, upon furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Judge SC/ST Court, Gaya, in connection with SC/ST P. S. Case No. 03 of 2025 arising out of A.B.P. No. 63 of 2025, subject to the condition as laid down under Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023.

7. The impugned order dated 20-03-2025 passed in SC/ST P.S. Case No. 03 of 2025 arising out of A.B.P. No. 63 of 2025 by the learned Exclusive Special Judge SC/ST Court, Gaya, is hereby set aside.



8. The appeal stands allowed.

(Khatim Reza, J)

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