

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1520 of 2025

Arising Out of PS. Case No.-765 Year-2023 Thana- BODHGAYA District- Gaya

Sapna Kumari D/o Manoj Saw R/o vill -Karma Dhab, P.S.- Cherki, Distt.-
Gaya

... .. Appellant/s

Versus

1. The State of Bihar
2. Sarita Devi W/o Babu Ram Chaudhary R/o vill - Karma Dhab, P.S.- Cherki,
Distt.- Gaya

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Arvind Kumar Singh, Advocate
For the Respondent/s : Mr. Binay Krishna, Spl. PP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

4 12-11-2025 Heard learned counsel for the appellant 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 11.02.2025 passed by the learned Exclusive Special Judge, SC/ST Act, Gaya in A.B.P. No. 11 of 2025 arising out of Bodhgaya (Cherki) P.S. Case No. 765 of 2023 registered for the offences punishable under Sections 341, 323, 354, 379, 504, 506/34 of the Indian Penal Code and 3(i)(r)(s) of SC/ST Act.

3. The case of the prosecution, in brief, is that on the



alleged date of occurrence, the goat of the informant had gone at the door of co-accused Manoj Saw and had eaten grains, upon which, all the accused persons including the appellant started assaulting the informant by means of iron rod causing serious injury and also abused by taking her caste name and also snatched her gold locket.

4. Learned counsel for the appellant submits that the appellant is innocent and she has been falsely implicated in this case. It is further submitted that there is no specific allegation against the appellant rather the allegation against the appellant and one Kranti Devi is that they assaulted the informant by legs and fists. There is no any allegation against the appellant either of abusing or snatching the gold locket of the informant. The appellant is unmarried lady. Lastly, it is submitted the appellant has no criminal antecedents.

5. Earlier notices were issued upon respondent no. 2, but nobody appears on her behalf even after valid service of notice.

6. Learned Special Public Prosecutor for the State vehemently opposed the prayer of the appellant.

7. Having considered the facts and circumstances of the case, let the above named appellant, be released on bail, in



the event of her 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 Spl. Judge, SC/ST, Gaya in connection with Bodhgaya (Cherki) P.S. Case No. 765 of 2023, subject to the condition as laid down under Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023.

8. The impugned order dated 11.02.2025 passed in Anticipatory Bail Petition No. 11 of 2025 by the learned Exclusive Special Judge, SC/ST Act, Gaya is hereby set aside.

9. The appeal stands allowed.

(Khatim Reza, J)

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