

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1587 of 2025

Arising Out of PS. Case No.-18 Year-2024 Thana- Lokha District- Supaul

Bindi Devi W/o Ramdev Chaudhari @ Ramdeo Chaudhary R/o Village- Bela
Ward No. 15, P.S.- Laukaha, District- Supaul

... .. Appellant/s

Versus

1. The State of Bihar
2. Laleshwar Ram S/o Sitaram Ram R/o Village- Chhapariya Ward No. 13,
P.S.- Laukaha, District- Supaul

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Kamal Kishore Singh
For the Respondent/s : Mr. Usha Kumari 1

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 3 20-06-2025 1. Heard learned counsel for the appellant and learned
Special Public Prosecutor for the State.
2. An order, dated 05.04.2025, passed by learned Additional
Sessions Judge 1st -cum- Special Judge, Special Court
SC/ST (POA) Act, Supaul, in RB (SC/ST) No. 13 of
2025, in respect of appellant is under challenge, whereby
the regular bail application of the appellant in connection
with Laukaha Police Station Case No. 18 of 2024
registered for the offence punishable under Sections
304(B)/302/34 of the Indian Penal Code and Sections 3(1)
(r)(s)/3(2)(v) of the Schedule Caste and Schedule Tribes
(Prevention of Atrocities) Act, 1989, has been rejected.



3. As per the prosecution case the co-accused / Rajesh Chaudhari enticed and abducted Kajal Kumari (daughter of the informant) about six years ago and performed marriage with her. It is alleged that the husband of the daughter of the informant along with the petitioner and other co-accused did not take proper care of the informant's daughter and a sum of Rs. 5,00,000/- was demanded as dowry by them and due to non fulfillment of the dowry demand, they tortured her mentally and physically. It is further alleged that the accused persons used to abuse her by taking her caste name. When the informant went to visit his daughter at her matrimonial house, he was not allowed to meet her and he too was abused by his caste name. On the fateful day of 15.05.2024 the elder brother of the husband of the daughter of the informant informed him over phone that his daughter has died. Upon receiving this information, the informant went to his daughter's "sasural" where he found dead body of his daughter lying on the ground and all members of his daughter's matrimonial family were absconding.
4. Learned counsel for the appellant submits that appellant is



the mother-in-law of the deceased. He next submits that the appellant has not committed any offence in the manner alleged and allegation against her is general and omnibus in nature. The provision of SC/ST Act is not attracted against the appellant inasmuch as the caste name was not taken in full public view. He further submits that similarly situated co-accused Ramdeo Choudhary @ Ramdev Choudhari, who is father-in-law of the deceased, has been granted regular bail by a Co-ordinate Bench of this Court in Cr. Appeal (SJ) No. 4714 of 2024. The appellant is in custody since 28.01.2025.

5. Learned Special Public Prosecutor for the SC/ST Act opposes the prayer for bail.
6. Having regard to the submissions made on behalf of the parties and taking into consideration the fact that the similarly situated co-accused person has been granted regular bail by a Co-ordinate Bench of this Court and the appellant is in custody since 28.01.2025, I am inclined to grant the appellant privilege of regular bail.
7. This appeal is, accordingly, allowed and the order, dated 05.04.2025, passed by learned Additional Sessions Judge 1st -cum- Special Judge, Special Court SC/ST (POA) Act,



Supaul, in RB (SC/ST) No. 13 of 2025, is set aside.

8. Let the appellant, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge 1st -cum- Special Judge, Special Court SC/ST (POA) Act, Supaul, in connection with Laukaha Police Station Case No. 18 of 2024.

(Anil Kumar Sinha, J)

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