

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1924 of 2025

Arising Out of PS. Case No.-47 Year-2024 Thana- SC/ST District- Muzaffarpur

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1. Babita Kumari D/O Brahmanand Rai @ Brhmbhanand Ray Resident of Village- Fatehpur Broona (Fatepur Berauna), P.S.- Aurai, District- Muzaffarpur
 2. Neelam Devi Wife of Brahmanand Rai @ Brhmbhanand Ray Resident of Village- Fatehpur Broona (Fatepur Berauna), P.S.- Aurai, District- Muzaffarpur
 3. Shova Devi W/O Deepak Ray Resident of Village- Fatehpur Broona (Fatepur Berauna), P.S.- Aurai, District- Muzaffarpur
 4. Sangita Devi W/O Ravi Kumar Resident of Village- Fatehpur Broona (Fatepur Berauna), P.S.- Aurai, District- Muzaffarpur

... .. Appellant/s

Versus

1. The State Of Bihar
2. Rinki Devi Wife of Ram Babu Ram Resident of Village- Sarhachiya, P.S.- Aurai, District- Muzaffarpur (Mobile No. 9572638569).

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr. Bhavesh Kumar, Adv.
For the State	:	Mr. Sadanand Paswan, Spl. PP
For Respondent No. 2	:	None

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

3 12-11-2025 Heard learned counsel for the appellants 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 15.04.2025 passed by the learned Exclusive Special Judge SC/ST (PoA) Act, Muzaffarpur in A.B.P. No. 588 of 2025



passed in SC & ST P.S. Case No. 47 of 2024 arising out of Complaint Case No. 04 of 2024 instituted for the offences punishable under Sections 323, 341, 420, 406, 120(B), 467, 468, 504 and 506/34 of the Indian Penal Code and Section 3(i)(r) & 3(i)(s) of SC/ST Act.

3. The allegation against the appellants is that they took thumb impression of the informant under a conspiracy and fraudulently withdrew the loan amount of the informant. On 05.12.2023, when all the witnesses including the informant went to the house of main accused, namely, Deepak Rai for the demand of loan amount then all the accused persons including the appellants abused the informant by her caste name, disrobed her, spitted on her mouth and also assaulted her and caused injury on delicate part of her body. It is further alleged that the appellants also snatched away gold *Hanumani* & Rs. 3000/- and also threatened to kill her.

4. Learned counsel for the appellants submits that the appellants are innocent and they have been falsely implicated in this case. It is submitted that appellants are family members of main accused, namely, Deepak Rai. The entire allegation is levelled against Deepak Rai, who mis-managed the financial transaction of the informant. So far allegation of abusing by



caste name is concerned, the said occurrence took place at the house of Deepak Rai and the said allegation is general and omnibus. Lastly, it is submitted the appellant nos. 1 and 2 have two criminal cases against them and appellant nos. 3 and 4 have one criminal case against each of them and all of them are on bail in those cases.

5. Earlier notices were issued upon respondent no. 2 on 14.07.2025, which has been validly served upon her, but none appears on behalf of respondent no. 2.

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 appellants, namely, Babita Kumari, Neelam Devi, Shova Devi and Sangita Devi be released on bail, in the event of their 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) each with two sureties of the like amount each to the satisfaction of learned Exclusive Special Judge SC/ST (PoA) Act, Muzaffarpur in connection with SC & ST P.S. Case No. 47 of 2024, subject to the condition as laid down under Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023.



8. The impugned order dated 15.04.2025 passed in Anticipatory Bail Petition No. 588 of 2025 by the learned Exclusive Special Judge SC/ST (PoA) Act, Muzaffarpur is hereby set aside.

9. The appeal stands allowed.

(Khatim Reza, J)

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