

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.2067 of 2025

Arising Out of PS. Case No.-238 Year-2024 Thana- MEHANDIA District- Jehanabad

Nago Devi Wife of Sanjay Yadav Resident of Village - Raj Kharsha, P.S.-
Mehandia, District - Arwal

... .. Appellant/s

Versus

1. The State of Bihar
2. Savita Kumari Wife of Laxman Rajvanshi Resident of Village - Raj Kharsha, P.S.- Mehandia, District - Arwal

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr.Shadab Akhter, Adv.
For the Respondent/s	:	Mr.Sadanand Paswan, APP
For the Resp. No.2	:	Mr. Dheeraj Kumar, Adv.

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

4 21-08-2025 Heard learned counsel for the appellant, learned Special Public Prosecutor for the State and learned counsel for the informant. Perused the case diary.

2. The instant appeal has been filed by the appellant against the order dated 28.04.2025 passed by learned 1st Additional Sessions Judge -cum- Special Judge, SC/ST, Jehanabad whereby the prayer for bail of the appellant in connection with Mehandia P.S. Case No. 238 of 2024 under Sections Sections 126(2), 115(2), 117(2), 118(1), 191(2), 190, 109, 103(1) of the Bhartiya Nyaya Sanhita, 2023 and Sections 3(1)(r)(s), 3(2)(va) of SC/ST (POA) Act was rejected.

3. As per prosecution case, the accusation against the



accused persons including the appellant is of assaulting the Informant's father due to which he sustained injuries and, later on, died in course of his treatment.

4. Learned counsel for the appellant submits that the appellant is innocent and has has falsely been implicated in the present case due to local politics. There is no specific or direct allegation of any overt act against the appellant rather the same is general and omnibus in nature. The specific allegation of assaulting by *Tangi* is attributed to Sanjay Yadav of hitting the deceased. Charge-sheet has been submitted in this case. There is a case and counter case between the parties. Learned counsel The appellant has no intention to disgrace the image of the informant in public view. Learned counsel for the appellant further submits that the appellant was only the member of the mob. The appellant is in custody since 24.03.2025 and has one criminal antecedent.

5. Learned Special P.P. for the State and the informant have vehemently opposed the prayer for grant of bail to the appellant.

6. Considering the aforesaid facts and circumstances of the case, the period of custody undergone by the appellant, there being no specific allegation against the appellant as also



the appellant being lady, this Court is inclined to allow this appeal. Accordingly, the appeal is allowed and order dated 28.04.2025 passed by learned 1st Additional Sessions Judge -cum- Special Judge, SC/ST, Jehanabad is hereby set aside.

7. Let the appellant, abovenamed, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Mehandia P.S. Case No. 238 of 2024.

(Rudra Prakash Mishra, J)

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