

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.2252 of 2025

Arising Out of PS. Case No.-511 Year-2024 Thana- HISUWA District- Nawada

Rebi Devi W/o Late Manoj Singh @ Karu Singh R/o Village- Sarmera, P.S.-
Sarmera, Disrtrict- Nalanda

... .. Appellant/s

Versus

1. The State of Bihar
2. Rajesh Manjhi S/o Ram Bhajju Manjhi Resident of Jay Prakash Nagar, P.S.-
Hisua, District- Nawada

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr. Ajay Kr. Thakur, Adv. Mrs. Vaishnavi Singh, Adv. Mr. Ritwik Thakur, Adv.
For the Respondent/s	:	Mr. Binay Krishna, Adv.

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

ORAL ORDER

5 21-08-2025 Heard learned counsel for the appellant, learned

Special Public Prosecutor for the State. In spite of valid service
of notice upon the respondent no.2, no one has appeared.

Perused the case diary.

2. The instant appeal has been filed by the appellant
against the order dated 29.03.2025 passed by learned Special
Judge, Special Court, SC/ST (PoA) Act, Nawada whereby the
prayer for bail of the appellant in connection with Hisua P.S.
Case No. 511 of 2024 under Sections 137(2), 140(3), 140(4) and
3(5) of the Bhartiya Nyaya Sanhita, 2023 and Sections 3(i)(r)(s)
(w) and 3(2)(v) of the Scheduled Caste/Scheduled Tribe (PoC)



Act was rejected.

3. The prosecution case, as per the First Information Report, is that on 25.08.2024, in the morning, while the mother of the informant, namely, Manji Devi was going to attend her work, the F.I.R. named accused persons, kidnapped the informant's mother on a Scorpio vehicle and pressurized her to enter into compromise in a case lodged earlier. In the afternoon, when the informant, along with his wife and sister-in-law, was going towards the police station to lodge First Information Report, the accused persons arrived there and started abusing by their caste and also assaulted them and took away informant's wife and sister-in-law on Scorpio vehicle.

4. Learned counsel for the appellant submits that the appellant has falsely been implicated in the present case merely on the basis of suspicion. Charge-sheet has been submitted in this case. The appellant is not named in the F.I.R. and has been made accused in this case in course of investigation only because she is the sister of the co-accused Tunni Singh @ Arvind Kumar. It is further submitted that as a matter of fact, the informant and his wife took loan of more than Rs. 1 lakh from the appellant's brother for which he has lodged F.I.R. being Hisua P.S. Case No. 511 of 2024 and the informant has lodged



this case so as to not to return the loan amount. Learned counsel for the appellant further submits that it is strange that three adult ladies will move along with the FIR named accused persons and others they will not raise any *hulla*. Further the three ladies were examined by the doctor but, the doctor did not find any injury on their body. Further from the statement of the so-called three ladies, it appears that they were not abducted for making any compromise and they have allegedly stated that Tunni Singh @ Arvind Kumar was asking them to return Rs. 2 lacs whereas the son of Sanju Devi i.e. the present informant had only taken Rs. 25,000/- from Runni Singh @ Arvind Kumar. The appellant is in custody since 21.03.2025 and has no criminal antecedent. Similar co-accused Runni Singh and Gopal Kumar have been granted bail by this Hon'ble Court vide common order dated 21.02.2025 passed in Cr. Appeal (S.J.) Nos. 5087 of 2024 and 295 of 2025 respectively. Co-accused Pankaj Kumar has also been granted bail by this Hon'ble Court vide order dated 28.02.2025 passed in Cr. App. (SJ) No. 4898 of 2024.

5. Learned Special P.P. for the State has vehemently opposed the prayer for grant of bail to the appellant, stating that the kidnapped females were kept at the appellant's house for two days after kidnapping and the appellant is the sister of the



main accused Tunni Singh @ Arvind Kumar. Charge-sheet has been submitted in this case.

6. Having heard learned counsel for the parties and considering the aforesaid facts and circumstances of the case, the period of custody undergone by the appellant, the appellant having no criminal antecedent as also the appellant being lady, this Court is inclined to allow this appeal. Accordingly, the appeal is allowed and order dated 29.03.2025 passed by learned Special Judge, Special Court, SC/ST (PoA) Act, Nawada 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 Hisua P.S. Case No. 511 of 2024.

(Rudra Prakash Mishra, J)

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