

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.2954 of 2025

Arising Out of PS. Case No.-128 Year-2025 Thana- MUNGER MUFFASIL District- Munger

Manju Devi W/o- Mahesh Mandal Village- Manigram Totaha Ps- Bariarpur
Dist- Munger, (Wrongly Stated in FIR) Manju Devi W/o- Mahesh Mandal
Village- Maheshpur Silha Ps- Mufassil Dist- Munger

... .. Appellant/s

Versus

1. The State of Bihar
2. Rani Kumari W/o- Late Rabish @ Rabo Paswan Village- Maniyarchak Silha
Ps- Mufassil Dist- Munger

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr. Shashi Saurabh, Advocate
For the Respondent/s	:	Mr. Sadanand Paswan, SPP

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

ORAL ORDER

4 18-09-2025 Heard learned counsel for the appellant and learned
Special Public Prosecutor for the State. Perused the case diary.

2. The instant appeal has been filed by the appellant against the order dated 17-06-2025 passed by learned ADJ-I-cum-Special Court of SC/ST Act, Munger whereby the prayer for bail of the appellant in connection with Muffasil PS Case No. 128 of 2025 under Sections 61(2), 126(2), 127(2), 103(2), 351(2), 303(2) & 3(5) of the Bharatiya Nyaya Sanhita, 2023, Section 27 of the Arms Act and Sections 3(1)(r), 3(1)(s), 3(2)(v) & 3(2)(va) of SC/ST Act was rejected.

3. The prosecution case, in brief, is that on 21.04.2025 at about 7:45 P.M., informant's husband Rabish



Kumar went with Amit Kumar to the house of Amresh Poddar on the call of Chotu Paswan, where several accused persons surrounded him, and on the order of Mahesh Mandal, Chotu Mandal fired at him causing his death, while it is also alleged that earlier the accused had threatened and abused him by caste name.

4. Learned counsel for the appellant submits that the appellant is innocent and has falsely been implicated in the present case. Charge-sheet has been submitted in this case. From perusal of the FIR, it would manifest that there is no specific allegation against the appellant, rather the same is general and omnibus in nature. Learned counsel for the appellant next submits that specific allegation of firing is against co-accused, Chotu Mandal and appellant happens to be mother of the assailant. Learned counsel for the appellant further submits that the appellant has not taken the caste name of the informant in public view. Hence, no offence under the provisions of SC/ST Act is made out against him. The appellant has no intention to disgrace the image of the informant in public view. The appellant is in custody since 23-04-2025 and has no criminal antecedent.

5. Learned Special P.P. for the State has vehemently



opposed the prayer for grant of bail to the appellant.

6. Considering the aforesaid facts and circumstances of the case, there being no specific allegation against the appellant and the period of custody undergone by the appellant, this Court is inclined to allow this appeal. Accordingly, the appeal is allowed and order dated 17-06-2025 passed by learned ADJ-I-cum-Special Court of SC/ST Act, Munger is hereby set aside.

7. Let the appellant be released on bail on furnishing bail bonds of Rs.15,000/- (Fifteen thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Muffasil PS Case No. 128 of 2025.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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