

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.3350 of 2025

Arising Out of PS. Case No.-334 Year-2025 Thana- PAROO District- Muzaffarpur

1. Vibha Devi @ Vibha Kumari wife of Arvind Bhagat @ Arvind Kumar Resident of Village- Loiriya Nizamat PS- Paru Dist -Muzaffarpur
2. Meena Devi @ Mina Devi Wife of Shambhu Bhagat Resident of Village- Loiriya Nizamat PS- Paru Dist -Muzaffarpur

... .. Appellant/s

Versus

1. The State of Bihar
2. Dilip Kumar Son of Birendra Bhagat Resident of Village- Koiriya Nizamat Ps- paru, Dist- Muzaffarpur

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Arun Kumar, Advocate

For the Respondent/s : Mr. Sadanand Paswan, Spl PP

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

4 25-09-2025 Heard learned counsel for the appellants and learned counsel for the informant as well as 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 in short referred to as the SC/ST Act) against the refusal of prayer of bail vide order dated 19.07.2025 passed by the Court of learned Special Judge, SC/ST (POA) Act, Muzaffarpur in connection with Paru P.S. Case No. 334 of 2025 Dated 23.06.2025 registered for the offence/s punishable u/ss 191(2), 191(3), 190, 126(2), 115(2), 109, 103(1), 352, 351(2), and 351(3) of B.N.S and Section 27 of



the Arms Act and Section 3(i)(r)(s) of SC/ST Act.

3. As per the prosecution case, the informant alleges that while he was at his medicine shop, his brother Jitendra Kumar Bhagat came to call him for dinner. He further alleged that the present appellants along with other persons armed with weapons came to his medicine shop and Arvind Bhagat abused and fired upon Jitendra Kumar Bhagat due to which he died and Shambhu Bhagat also fired upon Jai Prakash Bhagat who is the brother of the informant. He further alleged that Ashok Bhagat fired at informant with an intention to kill. Mahesh Ram who is Panch of Gram Panchayat was also attacked and abused by taking caste name.

4. Learned counsel for the appellants have submitted that the appellants have falsely been implicated in this case due to ulterior motive. The appellants are ladies. There is land dispute between both the parties and a counter case has also been lodged from the side of accused persons. There is no specific allegation against the present appellant rather there is specific allegation against other accused persons. The appellants have no criminal antecedents as stated at para 3 of the bail petition. The appellants are in custody in this case since 24.06.2025.



5. Learned Spl.P.P. for the State as well as learned counsel for the informant have vehemently opposed the prayer of bail.

6. In view of the aforesaid facts and circumstances of the case as well as finding substance in the contention of the learned counsel for the appellants, the impugned order dated 19.07.2025 passed by the Court of learned Special Judge, SC/ST (POA) Act, Muzaffarpur in connection with Paru P.S. Case No. 334 of 2025 is set aside against the appellants. The criminal appeal is allowed.

7. Accordingly, the above named appellants, is directed to be enlarged on bail on furnishing bail bond of Rs. 20,000/- (Rupees Twenty thousand) each with two sureties of the like amount each to the satisfaction of the learned Special Judge, SC/ST (POA) Act, Muzaffarpur in connection with Paru P.S. Case No. 334 of 2025.

(Chandra Prakash Singh, J)

Raj Ranjan/-

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