

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.3751 of 2025

Arising Out of PS. Case No.-444 Year-2025 Thana- DARIYAPUR District- Saran

Hewanti Devi @ Dewanti Devi W/o Dharmendra Ray @ Dharmendra Ram
R/o Village- Kewatiya Bhawanpur, P.S.- Dariyapur, Distt.- Saran

... .. Appellant/s

Versus

1. The State of Bihar
2. Meerqa Devi W/o Mundrika Ram R/o vill - Rampur Jagdish, Post and P.S. -
Dariyapur, Distt.- Saran

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr. Nalin Kumar, Advocate
For the State	:	Mr. Binay Krishna, SPP
For the Informant	:	Mr. Anil Kumar Sinha, Advocate

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

ORAL ORDER

4 27-11-2025 Heard learned counsel for the appellant, learned Special
Public Prosecutor for the State and learned counsel for the
informant.

2. The instant appeal has been filed by the appellant
against the order dated 26.08.2025 passed by learned SC/ST
Exclusive Special Judge, Chapra, Saran whereby the prayer for
bail of the appellant in connection with Dariyapur PS Case No.
444 of 2025 instituted under Sections 137(2), 96 & 3(5) of the
Bharatiya Nyaya Sanhita, 2023 and Section 3(i)(r)(s) of SC/ST
Act was rejected.

3. Prosecution case, in short, is that on July 13, 2025,
informant's 17-year-old daughter, went missing from Dariyapur



market. The informant alleges that Raushan Kumar, son of Dharmendra Ray, conspired with his mother, Dewanti Devi (appellant) to kidnap her daughter.

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. There is no specific allegation against the appellant, rather the same is general and omnibus. Referring to the statement of the victim recorded under Section 183 of the BNSS, 2023, it is submitted that she has not stated anything against the appellant. 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 12.08.2025 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 petitioner.

6. Considering the aforesaid facts and circumstances of the case and the period of custody undergone by the petitioner, this Court is inclined to allow this appeal.



Accordingly, the appeal is allowed and order dated 26.08.2025 passed by learned SC/ST Exclusive Special Judge, Chapra, Saran 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 Dariyapur PS Case No. 444 of 2025.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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