

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.5581 of 2024

Arising Out of PS. Case No.-227 Year-2024 Thana- SHEOHAR District- Sheohar

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Priyanka Devi W/O Sukhari Das R/O Village- Tajpur, P.S and Distt.- Sheohar.

... .. Appellant/s

Versus

1. The State of Bihar
2. Bhola Ram S/O Shri Ram R/O Village- Ijorbara, P.S- Phenhara, Distt.- East Champaran.

... .. Respondent/s

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Appearance :

For the Appellant/s	:	Mr. Sangeet Deokuliar, Adv.
For the Respondent/s	:	Mr. Sadanand Paswan, APP

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CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

3 07-02-2025 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 on his behalf. Perused the case diary.

2. The instant appeal has been filed by the appellant against the order dated 29.10.2024 passed by learned Additional Sessions Judge cum Special Judge, Sheohar whereby the prayer for anticipatory bail of the appellant in connection with Sheohar P.S. Case No. 227 of 2024 under Sections 103(1), 3(5) of the Bhartiya Nyaya Sanhita and Section 3(2)(v) of the of SC/ST Act, was rejected.

3. As per prosecution case, the accusation against the



appellant is of being involved in committing murder of the Informant's son and throwing the dead body in the pond.

4. Learned counsel for the appellant submits that the appellant is innocent and has falsely been implicated in the present case merely on the basis of suspicion. Learned counsel for the appellant submits that none of the witnesses have seen the appellant with the deceased or calling him or going with him rather they have only reiterated the statement of the Informant to the effect that about one month ago, the appellant had abused and threatened the Informant. It is further submitted that during investigation, three witnesses have been examined including the appellant, the son and cousin of the Informant and none of them are the eye witness to the alleged occurrence and have also not seen the appellant with the deceased. Except bald statement of the Informant and his cousin and son, there is nothing against the appellant in the entire case record. There are no independent witness to the alleged occurrence rather the same are interested witnesses which creates doubt in the prosecution case. It is further submits that there is no direct and specific allegation of any overt act against the appellant rather the same is general and omnibus in nature and the appellant has falsely been implicated in the present case only on the basis of suspicion and except



suspicion, there is nothing against the appellant. The investigating is pending.

5. Learned Special P.P. for the State has vehemently opposed the prayer for grant of anticipatory bail to the appellant, stating that the offence alleged against the appellant is serious in nature. Several witnesses have also supported the prosecution case. The appellant is named in the F.I.R. and, hence, she does not deserve privilege of anticipatory bail of this Court.

6. Having heard learned counsel for the parties and considering the nature and gravity of the offence, this Court is not inclined to grant privilege of anticipatory bail to the appellant at this stage.

7. Accordingly, the prayer for anticipatory bail of the appellant, above named, is rejected.

8. The appeal stands dismissed.

(Rudra Prakash Mishra, J)

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