

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.125 of 2025

Arising Out of PS. Case No.-241 Year-2024 Thana- DIDARGANJ District- Patna

Malti Devi @ Multi Devi W/o Shyamnandan Singh Resident of Village-
Kasara, P.S.- Didarganj, District- Patna

... .. Appellant/s

Versus

1. The State of Bihar
2. Sabuja Devi D/o Late Chandeshwar Ram Resident of Village- Kasara, P.S.-
Didarganj, District- Patna

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Surendra Kumar Mishra, Advocate
For the Respondent/s : Mr. Binay Krishna, Spl.P.P.

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 15-04-2025 Heard Mr. Surendra Kumar, learned counsel for the

appellant as well as Mr. Binay Krishna, learned Spl.P.P. for the

State.

2. Despite inter appearance through *Vakalatama*, no
one appears on behalf of Respondent No. 2.

3. This is an appeal under Sections 14(A)(2) against
refusal of the prayer for anticipatory bail by order dated
18.10.2024 passed by the learned Court of Exclusive Special
Judge, SC/ST Act, Patna in ABP No. 4217 of 2024 in
connection with Didarganj P.S. Case No. 241 of 2024, F.I.R.
dated 11.07.2024 registered under Sections 385, 126(2), 115(2),
352, 76, 351(2) and 3(5) of the Bhartiya Nyaya Sanhita, 2023



and Sections 3(1) (r)(s) (z) and 3(2) (va) of the Scheduled Castes and Scheduled Tribes Act.

4. According to the prosecution case, all the accused persons including this petitioner demanded Rs. 2 lakh from the informant and on non-fulfillment of the same, they assaulted and abused her.

5. Learned counsel for the appellant submits that appellant is innocent and she has falsely been implicated in the present case. He further submits that the allegation as alleged in the F.I.R. is false and fabricated and the appellant has not committed any offences as alleged in the F.I.R. He further submits that from perusal of the F.I.R it appears that there is no specific allegation of assault or demand of dowry attributed against the petitioner rather there is general and omnibus allegation against all the accused persons including this petitioner.

6. Learned Special Public Prosecutor for the State has vehemently opposed the prayer for bail of the appellant.

7. After hearing the parties, in my view for the purpose of this anticipatory bail, no offence under the provisions of Scheduled Castes and Scheduled Tribes Act is made out.

8. Hence, let the appellant, above named, in the event



of her arrest to surrender before the Court below within a period of thirty days from the date of receipt of the order, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two surities of the like amount each to the satisfaction of learned Court of Exclusive Special Judge, SC/ST Act, Patna in connection with Didarganj P.S. Case No. 241 of 2024, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure / Section 482(2) of the Bhartiya Nagarik Suraksha Sanhita, 2023 and with other following conditions:-

i. Appellant shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on her absence on two consecutive dates without sufficient reason, her bail bond shall be cancelled by the Court below.

ii. If the appellant tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

iii. And further condition that the court below shall verify the criminal antecedent of the appellant and in case at any stage it is found that the appellant has concealed her criminal antecedent, the court below shall take step for



cancellation of bail bond of the appellant. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

9. Accordingly, the impugned order is set aside and this appeal stands allowed.

(Rajesh Kumar Verma, J)

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