

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1096 of 2025

Arising Out of PS. Case No.-101 Year-2024 Thana- SC/ST District- Madhubani

1. Anju Devi Wife of Moti Prasad Resident of Village - Stadium Road, J.P. Colony, Ward No.29, P.S. - Town P.S., District - Madhubani
2. Rupam Kumari Wife of Shubham Prasad Resident of Village - Stadium Road, J.P. Colony, Ward No.29, P.S. - Town P.S., District - Madhubani
3. Moti Prasad Son of Raj Kumar Sah Resident of Village - Stadium Road, J.P. Colony, Ward No.29, P.S. - Town P.S., District - Madhubani
4. Subham Prasad @ Shubham Kumar Son of Vinod Kumar Resident of Village - Rautpatti, Bara Bazar, Madhubani, P.S. and District - Madhubani

... .. Appellant/s

Versus

1. The State of Bihar
2. Anjali Kumari Wife of Shaurabh Sanni Resident of Village - J.P. Colony, Stadium Road, P.S. - Town, District - Madhubani

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr. Ashok Kumar
For the Respondent/s	:	Ms. Usha Kumari 1
		Mr. Ram Narayan Mahto

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

3 12-03-2026 Heard learned counsel for the appellants, the learned
Spl. P.P. for the State and the learned counsel for the informant.

2. This appeal is preferred against the order dated 06.02.2025 passed by the learned Additional Sessions Judge-1-cum- Special Judge, SC/ST (POA)Act, Madhubani passed in ABP No. 116 of 2025 arising out of Madhubani SC/ST P.S. Case No. 101 of 2024 registered for the offence under Sections 147, 341, 323, 379, 354B, 498A, 504, 506 of the Indian Penal Code and under Sections 3(i)(r)(s)(w)(i) and 3(2)(va) of the



SC/ST Act, by which the prayer of the appellants for anticipatory bail was rejected.

3. As per the prosecution case, the appellants are family members of the husband of the informant. The appellants are accused of demanding dowry and torturing the informant.

4. Learned counsel for the appellants submits that the appellants have falsely been implicated in this case and no offence under the provisions of SC/ST Act is made out in this case. He further submits that Appellant No. 1 is mother-in-law, Appellant No. 2 is Married Nanad, Appellant No. 3 is father-in-law and Appellant No. 4 is Nandosi.

5. Learned counsel for the State has opposed the prayer of the appellants.

6. From the reading of the entire FIR, it does not appear that offence has been committed against the informant on the ground that she is a member of SC/ST community and the same appears to be a *mala fide* prosecution. The appellants are the family members of the husband of the informant. The allegations are of demand of dowry and torture which are primarily matrimonial difference and in the opinion of this Court, No offence under SC/ST Act is made out. Therefore, this application for grant of anticipatory bail is held to be



maintainable and the same is allowed. Accordingly, the 06.02.2025 passed by the learned Additional Sessions Judge-1-cum- Special Judge, SC/ST (POA)Act, Madhubani passed in ABP No. 116 of 2025 arising out of Madhubani SC/ST P.S. Case No. 101 of 2024 is hereby set aside.

7. Let the appellants, in the event of their arrest or surrender within four weeks from today, be released on bail on furnishing bail bonds of Rs. 10,000/-(Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor Court in connection with Madhubani SC/ST P.S. Case No. 101 of 2024, subject to the conditions laid down under Section 438(2) of the Cr. P.C./ Section 482(2) of the BNSS.

(Sandeep Kumar, J)

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