

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.2771 of 2024

Arising Out of PS. Case No.-530 Year-2023 Thana- BOCHAHAN District- Muzaffarpur

Babita Devi Wife of Mohan Singh R/o Vill.- Dadhiya Bhagwanpur, P.S.-
Bochahan, Dist.- Muzaffarpur

... .. Appellant/s

Versus

1. The State of Bihar Patna
2. Ramesh Ram Son of Late Ram Naresh Ram R/o Vill.- Bhagwanpur,
Dadhiya, P.S.- Bochaha, Dist- Muzaffarpur

... .. Respondent/s

with
CRIMINAL APPEAL (SJ) No. 2938 of 2024

Arising Out of PS. Case No.-530 Year-2023 Thana- BOCHAHAN District- Muzaffarpur

Rajan Devi @ Ranjani Devi @ Rajani Kumari @ Rajani Devi W/o- Jitendra
Singh Village- Bhagwanpur Dadhiya, P.S.- Bochahan, Distt.- Muzaffarpur

... .. Appellant/s

Versus

1. The State of Bihar
2. Ramesh Ram Son of Ram Naresh Ram R/o-Dadhiya Bhagwanpur, P.S.-
Bochahan, Distt.- Muzaffarpur

... .. Respondent/s

Appearance :

(In CRIMINAL APPEAL (SJ) No. 2771 of 2024)

For the Appellant/s : Mr. Raju Kumar, Advocate
Mr. Shubham Samrat, Advocate
Mr. Kumar Gaurav, Advocate

For the Respondent/s : Ms. Usha Kumari 1

(In CRIMINAL APPEAL (SJ) No. 2938 of 2024)

For the Appellant/s : Mr. Raju Kumar, Advocate
Mr. Shubham Samrat, Advocate
Mr. Kumar Gaurav, Advocate

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

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

5 23-02-2026 Since both these applications arise out of Bochaha

Police Station Case No. 530 of 2023, with the consent of the



parties, both these applications are heard together.

2. Heard learned Counsel for the appellants and learned Special Public Prosecutor for the State.

3. An order, dated 08.04.2024, passed by learned Special Court SC/ST (POA) Act, Muzaffarpur, in ABP No. 162 of 2024, is under challenge in the present appeal preferred under Section 14-A (2) of the Schedule Caste and Schedule Tribes (Prevention of Atrocities) Act, 1989, whereby the anticipatory bail application of the appellant in connection with Bochaha Police Station Case No. 530 of 2023 registered for the offence punishable under Sections 147, 149, 341, 342, 323, 307, 504, 506, 302 of the Indian Penal Code and Section 3(i)(r)(s), 3(2) (va) and 3(2) of the Schedule Caste/Schedule Tribe (Prevention of Atrocities) Act, has been rejected.

4. As per the prosecution story, on 20.11.2023 in the morning, while the informant was returning home from his work, one co-accused person, Jitendra Kumar Singh, told the informant why he did not blow music in Chhath Puja and started abusing him. When the informant objected, the appellants, along with other accused persons, started abusing him by caste name and assaulted the informant with danda and fists. The accused, Jitendra Kumar Singh, threw chili powder in the eyes of the



informant's husband and assaulted him with a knife, causing injury to his neck. When the informant's brother intervened in order to save his father, he was also assaulted with a knife by Jitendra Kumar Singh, causing serious injury to the stomach of the informant's brother.

5. Learned counsel for the appellants submits that appellants are ladies and have been made accused along with all family members due to dispute regarding not blowing the music in Chhath Puja. The allegation of assault is specific against Jitenra Kumar Singh. There is no specific allegation and overt act against the appellants. Similarly situated co-accused persons have already been granted anticipatory by a co-ordinate Bench of this Hon'ble Court vide order dated 30.10.2025 in CR. APP (SJ) No. 3502 of 2024.

6. Having regard to the submissions made on behalf of the parties and taking into consideration the fact that similarly situated co-accused persons have already been granted anticipatory bail by a Co-ordinate Bench of this Hon'ble Court and the appellants are ladies, I am inclined to grant the appellants privilege of anticipatory bail.

7. This appeal is, accordingly, allowed and the order, dated 08.04.2024, passed by learned Special Court SC/ST



(POA) Act, Muzaffarpur, in ABP No. 162 of 2024 is set aside.

8. Let the appellants, above named, in the event of their arrest or surrender before the Court below within four weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Special Court SC/ST (POA) Act, Muzaffarpur, in connection with Bochaha Police Station Case No. 530 of 2023, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

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