

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.2801 of 2025

Arising Out of PS. Case No.-2 Year-2024 Thana- SC/ST District- Madhubani

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1. Arti Devi @ Arti Kumari wife of Uday Sharma R/o Village- Chakdah Ward No 21, PS -Rajnagar Distt -Madhubani
 2. Uday Sharma @ Uday Kumar Sharma son of Late Raj Kishore Sharma R/o Village- Chakdah Ward No 21, PS -Rajnagar Distt -Madhubani
 3. Vijai Sharma @ Vijai Kumar Sharma Son of Late Raj Kishore Shrama R/o Village- Chakdah Ward No 21, PS -Rajnagar Distt -Madhubani

... .. Appellant/s

Versus

1. The State of Bihar
2. Janki Devi Wife of Kari Paswan R/o village- Kaitola, PS - Town, Dist- Madhubani

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr. Ratnakar Jha, Advocate
For the Respondent/s	:	Mr. Binay Krishna, Spl.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

4 31-03-2026 1. Heard learned counsel for the appellants, learned Special Public Prosecutor for the State and no one appears on behalf of the informant.

2. This is an appeal under Section 14-A(2) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 (hereinafter referred to as the “SC/ST Act”) against the refusal of prayer for anticipatory bail vide order dated 19.03.2025 in A.B.P. No. 449 of 2025 passed by the learned 1st Additional Sessions Judge-cum-Special Judge, SC/ST Act, Madhubani in connection with G.R. No. 06 of 2024 arising out of SC/ST Madhubani P.S. Case No. 02 of 2024 registered



under Sections 341, 323, 420, 379, 504, 506 and 354B/34 of the Indian Penal Code as well as Sections 3(1)(r)(s)(w)(i) and 3(2)(va) of the SC/ST Act.

3. Learned counsel appearing on behalf of the appellants submits that appellants are persons with clean antecedent and appellant no. 1 is a woman and the informant alleges that she, on 02.12.2023, gave an amount of Rs.40,000/- by way of advance to the appellants no. 2 and 3 for making furniture and the consideration of which was settled at Rs.75,000/-. Further, on 10.12.2023, when she went to the shop of the appellants to get the furniture, the informant found the shop missing, thus, went to the house of the appellants and asked them to give the furniture or returned the amount on which the accused abused and assaulted the husband of the informant and Arti Devi snatched her Mangalsutra.

4. Learned counsel for the appellants submits that appellants have been falsely implicated in the instant case by the informant. It is further submitted that the date of occurrence is 10.12.2023 and the FIR came to be instituted on 10.01.2024, i.e., after a delay of more than 29 days which casts an aspersion on the case of the prosecution. It is next submitted that husband of the informant works for sitting Mayor of the Municipal



Corporation, namely, Arun Roy and the appellant no. 2 had given a complaint before the Station House Officer, Madhubani Town Police Station on 16.12.2023 for instituting an FIR against the Mayor and had also sent a representation by registered post to the Superintendent of Police, Madhubani on account of which the instant false case came to be instituted.

5. Learned Special Public Prosecutor for the State opposed the prayer for anticipatory bail of the appellants.

6. Considering the submissions, let the appellants, above named, in the event of their arrest or surrender within a period of six weeks from the date of receipt of the order, be released on anticipatory bail on furnishing bail bonds of Rs.5,000/- (Rupees Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned Trial Court where the case is pending in connection with the aforesaid case, subject to the conditions as laid down under Section 438(2) of the Cr.P.C./482(2) of the B.N.S.S.

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

(Satyavrat Verma, J)

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