

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.3324 of 2025

Arising Out of PS. Case No.-60 Year-2025 Thana- Bhararhi District- Madhepura

Mamta Devi Wife of Pradip Sah Resident Of Village-Maheshua Ward No 11 P
S- Bharrahi District- Madhepura

... .. Appellant/s

Versus

1. The State of Bihar
2. Sadanand Rishidev son of Methilal Rishidev Resident Of Village-Maheshua
Ward No 11 P S- Bharrahi District- Madhepura

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Amarnath Jha

For the Respondent/s : Mr.Binay Krishna

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

4 22-01-2026 Heard learned counsel for the appellant and learned
Special Public Prosecutor for the State.

2. The instant appeal has been filed by the appellant against the order dated 25.07.2025 passed by learned District & additional Sessions Judge 1st cum-Special Judge, SC/ST Act, Madhepura whereby the prayer for bail of the appellant in connection with Bharrahi P.S. Case No. 60 of 2025 under Sections 126(2), 115(2), 74, 303(2), 3(5) of the B.N.S., 2023 and Sections 3(i) (r) (s), 2(Va) of SC/ST (POA) Act was rejected.

3. The case of the prosecution in short is that the appellant, along with others being armed with *lathi-danda*,



arrived and started abusing the informant with a caste name. As they have informed police on a previous occasion, it is specifically alleged against this appellant that when the niece of the informant came to rescue her, this appellant assaulted her with slaps and fists.

4. It is submitted by learned counsel for the appellant that appellant has been falsely implicated in this case. Learned counsel for the appellant submits that the only specific allegation is that she assaulted the respondent by slaps and fists. As far as allegation of abusing the respondent with caste name is concerned, it is submitted that the same is general and omnibus in nature. He further submits that there is also a counter-versions of this case and there is also a land dispute between the parties. He further submits that a statement has been made in para-3 of the petition that the petitioner has no criminal antecedent and she is languishing in judicial custody since 18.07.2025.

5. The appeal for bail is opposed by learned Spl. P.P. for the State.

6. Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case, the Court is inclined to allow this appeal. Accordingly, the



appeal is allowed and the impugned order dated 25.07.2025 is hereby set aside.

7. The appellant is directed to be enlarged on bail in connection with Barrahi P.S. Case No. 60 of 2025 on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned District & Additional Sessions Judge 1st-cum-Special Judge, SC/ST Act, Madhepura.

(Ashok Kumar Pandey, J)

Sudhanshu/-

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