

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.3378 of 2025

Arising Out of PS. Case No.-185 Year-2025 Thana- MUNGER MUFFASIL District- Munger

1. Saroj Kumar Madan @ Saroj Kumar S/O Late Vijay Kamal @ Bijay Kamal R/O Mohalla- Shrawan Bazar, P.S- Kotwali, Distt.- Munger.
2. Leela Devi W/O Saroj Kumar Madan R/O Mohalla- Shrawan Bazar, P.S- Kotwali, Distt.- Munger.

... .. Appellant/s

Versus

1. The State of Bihar
2. Soni Devi Mr. Rajesh Paswan R/V- Sandalpur Gumti No.06, P.O.-Jamalpur, P.S.- Muffasil, Dist-Munger.

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Ajit Kumar Singh, Adv.
For the Respondent/s : Mr. Binay Krishna, Spl. P.P.

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

5 23-02-2026 Heard Mr. Ajit Kumar Singh, learned counsel for the appellants and the State.

2. This appeal has been filed for for setting aside the impugned order dated 02.08.2025 passed in A.B.A. 1011/2025 arising out of Muffasil P.S. Case No. 185/2025 (F.I.R. No. 5113037250185) dated 03.06.2025 registered for the offences Under Sections 126(2), 318(4), 64, 352, 351(2) and 3(5) of the B.N.S. and Sections 3(1)(r), 3(i)(s), 3(2)(v) and 3(2)(v)(a) of the SC/ST Act passed by the learned Special Judge, SC/St cum District and Addl. Sessions Judge-1st, Munger in which these appellants have been falsely made accused and having apprehension of arrest, the present memo of appeal is being



filed whereby the prayer for anticipatory bail of the appellant has been rejected.

3. As per the prosecution story, the informant alleged that on 28.05.2025, the marriage of the daughter of the informant was solemnized by the son of appellant no. 1 at the temple but on 29.07.2025, the husband, Dev Raj fled away. When they went to the house of the husband of the daughter of the informant and with further information that she is pregnant, they were abused and assaulted. This led to the FIR.

4. In this case, the Co-ordinate Bench had issued notice to the informant on 18.09.2025 and the service report shows that she received the notice but there is no appearance.

5. Learned counsel for the appellant submits that a perusal of the FIR would show that the grievance is against the husband but the entire family members have been roped in and to exaggerate the same, the caste abuse has also been incorporated.

6. Further, by way of supplementary affidavit, the submission is that the parties came to the compromise whereafter, the son, Dev Raj surrendered and was granted relief by the learned Special Judge, SC/ST on 07.10.2025.

7. Learned Spl. P.P. opposes the prayer submitting that



allegations are there against the appellants herein.

8. Considering the submissions of the parties as also the development that has taken place, these appellants are family members including the mother and father, have no criminal antecedent, in that background, this Court is inclined to grant them the privilege of anticipatory bail with conditions.

9. The impugned order dated 02.08.2025 passed in A.B.A. 1011/2025 arising out of Muffasil P.S. Case No. 185/2025 by the learned Special Judge, SC/St cum District and Addl. Sessions Judge-1st, Munger stands set aside and the appeal is allowed.

10. Let the appellants, named above, in the event of arrest/surrender within a period of eight weeks from the date of receipt/production of a copy of this order, be enlarged 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 the learned Special Judge, SC/St cum District and Addl. Sessions Judge-1st, Munger in connection with A.B.A. 1011/2025 arising out of Muffasil P.S. Case No. 185/2025

(i) one of the bailor should be the family members/relatives of the appellants, who shall provide official document (Aadhar Card, PAN Card, Driving License, Voter ID)



to show his *bona fide*;

(ii) the appellants shall appear on each and every date before the Trial court and failure to do so for two consecutive dates without plausible reason will entail cancellation of their bail bond by the Trial court itself;

(iii) the appellants shall appear before the concerned police station every month for next six months to mark attendance and at the end of the period, the certificate be submitted to the Court;

(iv) the appellants shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the appellants shall desist from committing any criminal offence again failing which the State shall be at liberty to take steps for cancellation of the bail bonds.

(Rajiv Roy, J)

Vijay Singh/-

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