

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.3680 of 2025

Arising Out of PS. Case No.-203 Year-2025 Thana- RAGHOPUR District- Vaishali

Kiran Devi W/o Dayanand Singh R/o Village- Raghapur (Pashchmi), Ward
No. 3, P.S.- Jurawanpur, District- Vaishali

... .. Appellant/s

Versus

1. The State of Bihar Bihar
2. Kalwa Devi W/o Late Lal Bahadur Das R/o Village- Rampur Shopan Chand,
Ward No. 13, P.S.- Raghapur, District- Vaishali

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr. Alok Kumar Alok, Advocate
For the Complainant	:	Ms. Shalini, Advocate
		Md. Khalid Quraishi, Advocate
		Mr. Santosh Kumar, Advocate
		Mr. Shubhendu Shekhar, Advocate
For the Respondent/s	:	Mr. Sadanand Paswan, Spl.P.P.

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

3 22-01-2026 Heard learned counsel for the appellant, learned
counsel for the complainant and learned Spl. P.P. for the State.

2. This is an appeal under Scheduled Castes and
Scheduled Tribes (Prevention of Atrocities) Act, 1989
(hereinafter referred to as the “SC/ST Act”) against the refusal
of prayer for bail vide order dated 13.08.2025 passed by the
learned Exclusive Special Judge, S.C./S.T. (POA) Act, Vaishali
at Hajipur in connection with Raghapur P.S. Case No. 203 of
2025 registered for the offences punishable under Sections
140(1) & 3(5) of the Bharatiya Nyaya Sanhita and under Section
3(2)(va) of the SC/ST Act.



3. The case of the prosecution, in short, is that the husband of the complainant has gone to Block office, Fatehpur, Raghapur for old age pension. As he was not feeling well, he started resting below a tree. Meanwhile a white colour vehicle dashed him while it was being parked from back side.

4. Learned counsel for the appellant submits that the name of the appellant is not there in the FIR. Her name has surfaced during investigation in Paragraph '32' of the case diary where she has given her confessional statement. In her statement she has stated that the vehicle belong to Chandan and he was driving the vehicle. The accident took place while Chandan was reversing the vehicle. This appellant has further stated in her confessional statement that they have boarded the dead body in the vehicle and have disposed it of somewhere. Learned counsel for the appellant has further submitted that it is clear that the white colour vehicle belong to Chandan who himself was driving the vehicle and only role which has come during investigation of this appellant is that she was involved in disposing/concealing the dead body. Learned counsel for the appellant has further submitted that similarly situated co-accused has been granted privilege of bail by the learned Co-ordinate Bench vide Cr. Appeal (SJ) No. 3540 of 2025 and the



case of this petitioner stands on similar footing.

5. Ms. Shalini, learned counsel for the complainant is present and she has vehemently opposed the bail to the appellant and has submitted that the appellant was having knowledge regarding accident and that she has disposed /concealed the dead body as the dead body was not recovered during investigation.

6. It is clear from above discussions that the only role which has come during investigation that too through confessional statement of this appellant is that she was involved in concealing/disposing of the body of the complainant's husband.

7. Learned counsel for the appellant has submitted that save and except the confessional statement, there is nothing against the appellant. Learned counsel for the appellant has lastly submitted that the appellant is a lady having no criminal antecedent and is in judicial custody since 27.07.2025.

8. In view of the submissions made by the learned counsel for the appellant, the order dated 13.08.2025 passed by the learned Exclusive Special Judge, S.C./S.T. (POA) Act, Vaishali at Hajipur in connection with Raghapur P.S. Case No. 203 of 2025 is hereby set aside and the appellant above-named,



be released on bail on furnishing bail bonds of Rs. 10,000/-
(Rupees Ten Thousand) with two sureties of the like amount
each to the satisfaction of the learned court of Exclusive Special
Judge, S.C./S.T. (POA) Act, Vaishali at Hajipur in connection
with Raghopur P.S. Case No. 203 of 2025.

9. Accordingly the appeal stands allowed.

(Ashok Kumar Pandey, J)

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