

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.4405 of 2025

Arising Out of PS. Case No.-102 Year-2025 Thana- SAUR BAZAR District- Saharsa

Raben Yadav S/O Uttimlal Lal yadav R/o village- Dhamsrna ward no. 6, P.S.-
Sour Bazar, District- Saharsa

... .. Appellant/s

Versus

1. The State of Bihar
2. Geeta Devi W/O Kapildeo Ram R/O Vill.- Ward no. 9, Rajni, P.S.-
Murliganj, Dist.- Madhepura.

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr. Shiva Shankar Sharma, Advocate
For the Respondent/s	:	Ms. Usha Kumari 1, SPP
For the Informant	:	Mr. Kumar Goutam, Advocate

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

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

2. The instant appeal has been filed by the appellant
against the order dated 27.09.2025 passed by learned Additional
Sessions Judge-1st-cum-Special Judge, SC/ST (PoA) Act,
Saharsa whereby the prayer for bail of the appellant in
connection with Special Case No. 56 of 2025 arising out of Sour
Bazar PS Case No. 102 of 2025 instituted under Sections
118(2), 80(2), 61(2) & 3(5) of the Bharatiya Nyaya Sanhita,
2023 and Sections 3(2)(v) of SC/ST Act (Subsequently, Sections
103(1) & 238 of the BNS) were added.



3. Prosecution case, in short, is that the informant was informed on 28.03.2025 that her daughter had died. Informant alleged that her daughter was abused by caste name, harassed for dowry demand of Rs. 1 lakh and a motorcycle, and threatened with death, days before the incident.

4. Learned counsel for the appellant submits that the appellant is innocent and has falsely been implicated in the present case. Charge-sheet has been submitted in this case. There is no specific allegation against the appellant, rather the same is general and omnibus in nature. Appellant is the father-in-law of the deceased. It is submitted that appellant was even separate in mess and property of the husband of the deceased. There is no eye witness to the occurrence. Learned counsel for the appellant further submits that the appellant has not taken the caste name of the informant in public view. Hence, no offence under the provisions of SC/ST Act is made out against him. The appellant has no intention to disgrace the image of the informant in public view. The appellant is in custody since 23.06.2025 and has one criminal antecedent.

5. Learned Special P.P. for the State and the informant have vehemently opposed the prayer for grant of bail to the appellant. It is submitted that during investigation confessional



statement of the husband of the deceased was recorded, wherein he confessed that husband of the deceased along with his mother committed the murder of the deceased. Moreover, it is alleged that appellant facilitated in concealing the dead body.

6. Considering the aforesaid facts and circumstances of the case and the period of custody undergone by the petitioner, this Court is inclined to allow this appeal. Accordingly, the appeal is allowed and order dated 27.09.2025 passed by learned Additional Sessions Judge-1st-cum-Special Judge, SC/ST (PoA) Act, Saharsa is hereby set aside.

7. Let the appellant be released on bail on furnishing bail bonds of Rs.15,000/- (Fifteen thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Special Case No. 56 of 2025 arising out of Sour Bazar PS Case No. 102 of 2025.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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