

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.4575 of 2025

Arising Out of PS. Case No.-31 Year-2025 Thana- Marnga District- Purnia

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1. Manju Devi Wife of Alokita Jha Resident of Village - Shivshaki Nagar, P.S.- Maranga, District - Purnea.
 2. Simran Kumari @ Puja Kumari Daughter of Alokita Jha Resident of Village - Shivshaki Nagar, P.S.- Maranga, District - Purnea.

... .. Appellant/s

Versus

1. The State of Bihar
2. Manindara Kaushal Son of Late Gulai Ram Resident of Village - Shivshakti Nagar, P.S.- Maranga, District - Purnea.

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr.Md Musowir
For the Respondent/s	:	Ms.Usha Kumari 1
		Mr.Rajeev Ranjan
		Mr.Avnish Kumar

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

4 02-07-2026 1. Heard the learned counsel for the appellants, the learned Special Public Prosecutor for the State and the learned counsel appearing on behalf of the informant.

2. In view of the grounds taken in the limitation application, the delay of 59 days in filing the appeal is condoned, as such, I.A. No.01 of 2025 is allowed.

3. The appellants have challenged the order dated 02.06.2025 passed by the learned Special Judge, SC/ST (POA) Act, Purnea in connection with Maranga P. S. Case No.31 of 2025, instituted for the offences under Sections 117(2), 115(2),



308(2), 318(4), 118(1), 109, 303(2), 351(2), 352, 3(5) of the B.N.S. and Section 3(i)(r)(s), 3(2)(va) of the Scheduled Castes & Scheduled Tribes (Prevention of Atrocities) Act, 1989, whereby their prayer for grant of anticipatory bail has been rejected.

4. The learned counsel appearing on behalf of the appellants submits that appellants have antecedent of one case and are women and the informant alleges that on 02.02.2025 at 8.00 P.M., the police came and asked about the address of Manju Devi (appellant no.1) and thereafter went away. Further, 03.02.2025, on the said issue, nine accused persons including the appellants along with 5-6 unknown accused came and started abusing by taking caste and said why he disclosed their address. On objection, Aryan pointed pistol and made him sign on stamp paper, blank paper and printed paper, thereafter Manju gave orders to kill and Vinay assaulted him by rod causing injury on head, thereafter Alokita Jha assaulted his son Vivek by dabiya causing injury on nose. Further, Puja, Aman, Chandan and Nishu assaulted his wife by lathi and danda and Vinay put towel around her neck and dragged her while Chandan snatched her chain and tore her clothes while Puja and Nishu snatched his wife's earring and anklet and Alokita snatched mobile of his



sister in-law who was video-graphing the occurrence.

5. The learned counsel for the appellants submits that appellants have been falsely implicated in the instant case on account of previous dispute. It is further submitted that from side of the appellants, Maranga P. S. Case No. 30 of 2025 has been instituted against the informant and others, as such, the instant FIR is a counter-blast. It is next submitted that from perusal of the allegations alleged in the FIR, it would manifest that the occurrence took place at the house of the informant, hence was not in public view. It is also submitted that as far as appellant no.1 is concerned, the allegation against her is general and omnibus in nature, though informant alleges that on her orders Vinay assaulted. It is further submitted that allegation of assault is alleged against the named accused persons as detailed in the FIR. It is further submitted that as far as appellants no.2 is concerned, the allegation against her is general and omnibus in nature.

6. The learned Special P.P. as well as the learned counsel appearing on behalf of the informant opposes the appeal, but then, are not in a position to rebut the submission of the learned counsel appearing on behalf of the appellants that the occurrence did not take place in public view and appellants



have not been alleged to have assaulted and allegation of abuse is general and omnibus in nature.

7. Regard being had to the aforesaid submissions, the order dated 02.06.2025 is set-aside.

8. The appeal stands allowed.

9. The appellants, above-named, in the event of their arrest or surrender before the learned Court below within a period of eight weeks, are directed to be released on bail on their furnishing bail-bonds in the sum of Rs.5,000/- (Rupees Five Thousand) each with two sureties of the like amount each to the satisfaction of learned Special Judge, SC/ST (POA) Act, Purnea in connection with Maranga P. S. Case No.31 of 2025, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

(Satyavrat Verma, J)

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