

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.4620 of 2025

Arising Out of PS. Case No.-80 Year-2024 Thana- NAUBATPUR District- Patna

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Geeta Devi W/O- Upendar Singh Village- Rukhi PS- Chandi District-
Nalanda, At Present Mohalla- Ashiyana More, Raja Bazar, Ps- Shastri Nagar
District- Patna

... .. Appellant/s

Versus

1. The State of Bihar
2. Suraj Kumar S/o- Late Mahesh Mochi R/v- Mamrejpur Ps- Naubatpur Dist-
Patna

... .. Respondent/s

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Appearance :

For the Appellant	:	Mr. Munna Kumar Upadhyay , Advocate
For the State	:	Mr. Binay Krishna, Spl.PP
For the Informant	:	N o n e

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 19-03-2026 Heard learned counsel appearing for the appellant and

learned Special Public Prosecutor appearing for the respondent-

State.

2. Despite valid service of notice, no body appears on
behalf of the informant/Respondent No. 2.

3. This appeal has been filed for setting aside order
dated 26.08.2025 passed in a case registered for the offence
punishable under Sections 302, 120B and 34 of the Indian Penal
Code and Section 27 of the Arms Act and later on, Section 3(2)



(v) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, whereby the prayer for grant of bail to the appellant has been rejected.

4. As per prosecution case, informant suspects that this petitioner, along with other accused persons, killed his father. Informant alleges that his father had love affair with this appellant and she had lodged a case against father of informant in which father of informant was behind the bar and on the basis of compromise, father of informant came out of jail and as per settlement, this appellant was given a new house but thereafter, appellant and her sons started demanding Rs. 11,00,000/- and also threatened to kill father of informant.

5. It is submitted by learned counsel appearing on behalf of the appellant that appellant is quite innocent and has committed no offence. From bare perusal of the F.I.R. it is apparent that informant is not eye witness to the occurrence and only because of old dispute, a suspicion has been raised against this appellant. During course of investigation, none of the witnesses have claimed to have seen the occurrence or seen this appellant committing the offence. From bare perusal of the F.I.R. it is apparent that there is no allegation of abused by caste



name against this appellant and as such, no case under the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act is made out against this appellant. It is lastly submitted that similarly situated co-accused persons have already been granted bail by this Hon'ble Court vide order dated 05.03.2025 passed in *Cr. Misc. No. 772 of 2025* and order dated 04.07.2025 passed in *Cr. Misc. No. 30352 of 2025*. Appellant is a lady and having no criminal antecedents, she he is in custody since 15.07.2024.

6. Learned Spl. P.P. appearing for the respondent-State has opposed the prayer for grant of bail to the appellant.

7. Considering the facts and circumstances of the case, period of custody, claim based on parity and clean antecedents of the appellant, this appeal is allowed and the impugned order dated 26.08.2025 passed by the learned Exclusive Special Judge, S.C./S.T. Act, Civil Court (Sadar) Patna in connection with Special Case No. 71 of 2025 arising out of Naubatpur P.S. Case No. 80 of 2024 is hereby set aside with respect to this appellant only.

8. Accordingly, let the appellant, named above, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten



thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Judge, S.C./S.T. Act, Civil Court (Sadar), Patna in connection with Naubatpur P.S. Case No. 80 of 2024

(Prabhat Kumar Singh, J)

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