

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.4993 of 2025

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

Binita Devi @ Reena Devi @ Rani Devi W/o Raben Yadav R/o village-
Dhamsena, PS- 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,
Distt.- 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

3 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) was rejected.



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 mother-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 21.05.2025 and has no 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 (appellant herein) committed the murder of the deceased. Moreover, it is alleged that father-in-law facilitated in concealing the dead body.

6. Considering the aforesaid facts and circumstances of the case and there being direct allegation against the appellant, which is evident from bare perusal of the confessional statement of husband of the deceased, this Court is not inclined to allow the appeal. Appeal is, accordingly, *dismissed*.

7. The Trial Court is directed to expedite the trial as expeditiously as possible without any undue delay and unnecessary adjournments.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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