

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL APPEAL (SJ) No.5071 of 2025**

Arising Out of PS. Case No.-112 Year-2025 Thana- CHERIYA BARIYARPUR District-  
Begusarai

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Rekha Devi W/o Ganesh Sah R/o Village- Khanjhapur, Ward no 10, PS-  
Cheriya Beriarpur, District- Begusarai

... .. Appellant/s

Versus

1. The State of Bihar
2. Kundan Kumar Paswan S/o Ramashish Paswan R/o vill - Khanjhapur, P.s. -  
Cheriya Beriarpur, Distt.- Begusarai

... .. Respondent/s

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**Appearance :**

For the Appellant/s : Mr.Bijay Bhushan Prasad  
For the Respondent/s : Mr.Binay Krishna

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**CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA**  
**ORAL ORDER**

3      22-06-2026                      Heard the parties.

2. The appellant has preferred the present appeal under Section 14A(2) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act (for short 'the Act') against the order dated 04.11.2025 passed by the learned Exclusive Special Judge SC/ST (POA) Act, Begusarai, in A.B.A. No. 2069/2025 in connection with Cheriya Beriarpur P.S. Case No. 112/2025 registered under Sections 191(2), 191(3), 190, 126(2), 115(2), 109(1), 303(2), 352 and 351(2) of the BNS and Sections 3(2) (va), 3(1)(r)(s) of the SC/ST (POA) Act.

3. Present appeal is well within limitation as prescribed under Section 14A(3) of the Act.

4. Despite service of notice to respondent no.



2/informant, he failed to join the present Court proceedings.

5. As per FIR, during the occurrence appellant alleged to snatch the gold chain from the neck of the informant and alleged to assault informant by other named co-accused persons, who are none but the family members of the main co-accused person namely Ganesh Sah, where appellant is his wife.

6. Learned counsel appearing for the appellant submitted that appellant was implicated with the present crime in question only for the reasons that she is wife of the main co-accused Ganesh Sah and just out of ulterior and oblique motive to harrass entire family, appellant was implicated with present crime in question. It is also submitted that allegation *qua* abusing in caste name in public view not appears available. In support of his submission learned counsel relied upon the legal report of Hon'ble Supreme Court as available through **Hitesh Verma v. State of Uttarakhand, [(2020) 10 SCC 710]**. Appellant is a lady of clean antecedent.

7. Learned Special P.P., while opposing the prayer of bail submitted that appellant actively participated during the course of occurrence.

8. In view of aforesaid factual submission and by taking note of fact as allegation of abusing in caste name prima-



facie not appears available against appellant, allegation of assault also not appears available, accordingly, above-named appellant, who is a lady of clean antecedent in the event of her arrest or surrender before the learned trial Court, within a period of four weeks of the order, is directed to be released on bail furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Judge SC/ST (POA) Act, Begusarai/concerned Court, where the case is pending in connection with A.B.A. No. 2069/2025 in connection with Cheriya Beriarpur P.S. Case No. 112/2025, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

9. Accordingly, impugned order dated 04.11.2025 is hereby set aside/quashed.

10. Hence, appeal stands allowed.

**(Chandra Shekhar Jha, J)**

S.Tripathi/-

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