

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.5090 of 2025

Arising Out of PS. Case No.-366 Year-2023 Thana- MURLIGANJ District- Madhepura

Premlata Kumari D/O Arvind Rishidev R/O Vill.- Chamgrad, P.S.- Murliganj,
Dist.- Madhepura.

... .. Appellant/s

Versus

1. The State of Bihar
2. Gunjan Devi W/O Late Arjun Rishidev R/O Vill.- Chamgarh, Ward no. 7,
P.S.- Murliganj, Dist.- Madhepura.

... .. Respondent/s

Appearance :

For the Appellant/s : Ms. Pooja Prasad, Advocate
For the State : Mr. Binay Krishna, Spl. P.P.

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 08-04-2026 Heard Ms. Pooja Prasad, learned counsel appearing
for the appellant and Mr. Binay Krishna, learned Special
Public Prosecutor for the State.

2. Learned Special P.P. for the State has informed
this Court that he has informed the Respondent No. 2/Informant
about the present case but despite of that no one appears on
behalf of Respondent No. 2/Informant.

3. This is an appeal under Sections 14(A)(ii) of the
Scheduled Castes and Scheduled Tribes (Prevention of
Atrocities) Act (hereinafter referred to as the “SC/ST Act”)
against the refusal of prayer for regular bail vide order dated
21.11.2025 passed by the learned District & Additional Sessions



Judge 1st cum Special Judge, SC/ST, Madhepura in connection with SC/ST No. 104 of 2023 arising out of Murliganj P.S. Case No. 366 of 2023, F.I.R. dated 04.09.2023 registered under Sections 302, 120B/34 of the Indian Penal Code, Sections 27 of the Arms Act and Sections 3(2)(v) of the SC/ST Act.

4. The prosecution case, in brief, is that Pandav Yadav and his associates fired upon the husband of the informant on the chest, namely, Arjun Rishideo, due to which he died.

5. Learned counsel for the appellant submits that the appellant has clean antecedent and she has been falsely implicated in the present case merely on the ground that she is daughter of co-accused Arvind Rishideo. He further submits that from perusal of the F.I.R. it appears that there is no specific allegation of any assault or overt act against the appellant rather there is specific allegation of firing is against co-accused Pandav Yadav and the said Pandav Yadav has been granted bail by a Coordinate Bench of this Court vide order dated 09.10.2025 passed in Cr. Appeal (SJ) No. 3066 of 2025. He further submits that the police after investigation submitted chargesheet against the appellant and the appellant is in custody since 15.05.2025.

6. Learned Special Public Prosecutor for the State , on



the other hand, vehemently opposed the prayer for bail of the appellant.

7. Considering the facts and circumstances of the case, let the appellant, above named, 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 District & Additional Sessions Judge 1st cum Special Judge, SC/ST, Madhepura in connection with Murliganj P.S. Case No. 366 of 2023, with the following conditions :-

(1) Appellant shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on her absence on two consecutive dates without sufficient reason, her bail bond shall be cancelled by the Court below.

(2) If the appellant tampers with the evidence or the witness, in that case, the prosecution will be at liberty to move for cancellation of bail.

(3) And, further condition that the court below shall verify the criminal antecedent of the appellant and in case at any stage, it is found that the appellant has concealed her criminal antecedent, the court below shall take step for cancellation of bail bond of the appellant. However, the acceptance of bail



bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

8. Accordingly, the impugned order is set aside and this appeal stands allowed.

(Rajesh Kumar Verma, J)

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