

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.2346 of 2025

Arising Out of PS. Case No.-74 Year-2025 Thana- HASPURA District- Aurangabad

1. Nand Yadav @ Nandlal Yadav S/o Dwarik Yadav Village- Tankuppi, PS- Haspura, District- Aurangabad
2. Guddu Yadav @ Guddu Kumar S/o Manoj Yadav Village- Tankuppi, PS- Haspura, District- Aurangabad
3. Manoj Yadav S/o Dwarik Yadav Village- Tankuppi, PS- Haspura, District- Aurangabad
4. Anil Yadav @ Anil Kumar S/o Mulayam Yadav Village- Tankuppi, PS- Haspura, District- Aurangabad
5. Abhimanyu Kumar S/o Birju Yadav Village- Tankuppi, PS- Haspura, District- Aurangabad
6. Banti Kumar @ Rakesh Kumar @ Banti S/o Nand Yadav @ Nandlal Yadav Village- Tankuppi, PS- Haspura, District- Aurangabad

... .. Appellant/s

Versus

1. The State of Bihar
2. Ganesh Kumar @ Ganesh Ram S/o Late Smaru Ram Village- Tankuppi, PS- Haspura, District- Aurangabad

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr. Krishna Pd. Singh, Sr.Adv. Mr. Bhaskar Shankar, Adv.
For the Respondent/s	:	Mr.Binay Krishna, Spl.P.P. Ms. Swati Parmar, Adv.for Informant/R.No.2

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

5 13-08-2026 At the outset, learned senior counsel appearing on behalf of appellants submits that during pendency of this appeal, appellant no. 2 & 4 namely Guddu Yadav @ Guddu Kumar and Anil Yadav @ Anil Kumar have been arrested and as such, this appeal has become infructuous so far as appellant nos. 2 & 4 are concerned.

2. Accordingly, the appeal stands dismissed as same



has become infructuous in respect of appellant nos. 2 & 4.

Appellant nos. 1, 3, 5 & 6

3. This appeal has been filed against an order passed by learned ADJ 1st cum Special Judge, (SC/ST, NDPS & Children Act), Aurangabad in a case registered under Sections 126(2), 115(2), 117(2), 109(1), 303(2), 352, 351(3), 3(5) of the B.N.S. and Section 3(1)(r), 3(1)(s), 3(2)(va) of the SC/ST Act, whereby the prayer for anticipatory bail of appellants has been rejected.

4. As per F.I.R., all the accused persons named in the F.I.R. including appellants stopped the informant while he was on way to his house, and thereafter abused him by taking his caste name and brutally assaulted him and also snatched cash of Rs. 4800/- from his pocket.

5 Learned senior counsel for the appellants submits that specific accusation of abuse and assault is against co-accused Anil Yadav and Guddu Yadav. So far as these appellants are concerned there is general and omnibus allegation. Rest of the allegations are ornamental to make the case grave. It is not the case of appellants that at the time of alleged occurrence, any public was present and as such, no case under the SC/ST Act is made out against these appellants. Appellants claim clean



antecedent.

6. Learned Spl.P.P. and learned counsel for respondent no. 2 opposes the appeal.

7. However, considering the aforesaid facts and circumstances, the impugned order, so far as appellant nos. 1, 3, 5 & 6 are concerned, is, hereby, set aside and accordingly, this appeal is disposed of.

8. Let the appellant nos. 1, 3, 5 & 6, as named above, in the event of arrest or surrender within a period of eight weeks from today, be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned ADJ 1st cum Special Judge, (SC/ST, NDPS & Children Act), Aurangabad, in connection with Haspura P.S. Case No. 74 of 2025.

(Prabhat Kumar Singh, J)

anay

U		T	
---	--	---	--

