

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.351 of 2025

Arising Out of PS. Case No.-477 Year-2024 Thana- KAHALGAON District- Bhagalpur

1. Gaiju Yadav @ Gajadhar Yadav Son of Late Kaithu Yadav @ Late Kartik Yadav Resident of Village - Lalapur Bhader, P.S. - Kahalgaon, District - Bhagalpur
2. Chunchun Yadav Son of Gaiju Yadav @ Gajadhar Yadav Resident of Village - Lalapur Bhader, P.S. - Kahalgaon, District - Bhagalpur

... .. Appellant/s

Versus

1. The State of Bihar
2. Sobha Devi Wife of Arun Das Resident of Village - Lalapur Bhader, P.S. - Kahalgaon, District - Bhagalpur

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr. Ankit Raj, Advocate
For the Respondent/s	:	Mr. Binay Krishna, Spl. Public Prosecutor
For the R.No. 2	:	Mr. Rajive Ranjan Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 20-11-2025 Heard learned counsel for the appellants, respondent
no. 2 and the State.

2. This appeal has been filed against the order dated 17.12.2024 passed by learned District & Additional Sessions Judge-III-cum-Special Judge, SC/ST Act, Bhagalpur in ABP No. 2929 of 2024 arising out of Kahalgaon P.S. Case No. 477 of 2024 registered under Sections 115(2), 126(2), 74, 76, 352, 351(2), 191(2) of the Bharatiya Nyaya Sanhita and Section 3(1) (i)(r)(s) of Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, whereby the prayer for anticipatory bail of



appellants has been rejected.

3. As per F.I.R., co-accused Lalu Yadav misbehaved with the informant, abused her by caste name and assaulted her by means of *lathi*.

4. Learned counsel for the appellants submits specific accusation is against co-accused Lalu Yadav. So far these appellants are concerned, there is general and omnibus allegation. Case and counter case. Appellants are not alleged to have assault or abused by caste name, as such, no case under SC/ST Act is made out against these appellants.

5. Learned Spl. Public Prosecutor for the State as well as learned counsel for the respondent no. 2 vehemently opposed the bail application.

6. Considering the aforesaid facts, let the appellants, as named above, in the event of their arrest/surrender within a period of eight weeks from today, be enlarged on bail on furnishing bail-bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned District & Additional Sessions Judge-III-cum-Special Judge, SC/ST Act, Bhagalpur in connection with Kahalgaon P.S. Case No. 477 of 2024.

7. Accordingly, this criminal appeal is allowed and



impugned order dated 17.12.2024 is set aside with respect to
these appellants only.

(Prabhat Kumar Singh, J)

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