

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.649 of 2025

Arising Out of PS. Case No.-266 Year-2024 Thana- MANJHI District- Saran

Sanjay Yadav @ Sanjay Kumar Yadav Son of Dahari Yadav village- Dumari,
Ps- Manjhi, Dist- Saran at Chapra

... .. Appellant/s

Versus

1. The State of Bihar
2. Uma Shankar Manjhi Son of Gopichand Manjhi village- Dumari, Ps-
Manjhi, Dist- Saran

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr. Nawal Kishore Singh, Advocate
For the Respondent/s	:	Mrs. Usha Kumari 1, APP
For the informant	:	Mr. Binod Kumar Sinha, Advocate

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

4 20-11-2025 Heard learned counsel for the appellant, learned Spl.
P.P. for the State and the learned counsel for the informant.

2. This appeal is preferred against the order dated 21.01.2025 passed by the learned Exclusive Special Judge, SC/ST Act, Saran at Chapra in connection with Manjhi P.S. Case No. 266 of 2024 registered under Sections 115(2), 126(2), 109, 352, 351(2) & (3), 3(5) of the BNS and under Sections 3(i) (r)(s)/3(2)(va) of the SC/ST Act by which the prayer of the appellant for grant of anticipatory bail has been rejected.

3. As per the prosecution case, the appellant and others are alleged to have assaulted the informant and have abused him by taking caste name.



4. Learned counsel for the appellant submits that the appellant has falsely been implicated in this case and no offence under the provisions of SC/ST Act is made out against the appellant as the occurrence has taken place because of earlier land dispute between the parties and therefore the application of the anticipatory bail is maintainable.

5. Learned counsel for the State and learned counsel for the informant have opposed the prayer of the appellant.

6. From the reading of the entire FIR, it does not appear that offence has been committed against the informant on the ground that he is a member of SC/ST community and primarily, it appears that the occurrence has taken place due to a land dispute between the parties.

7. In these circumstances, this application for grant of anticipatory bail is held to be maintainable.

8. Considering the facts of the case and the rival submissions of the parties, this appeal is allowed and accordingly, the order dated 21.01.2025 passed by the learned Exclusive Special Judge, SC/ST Act, Saran at Chapra in connection with A.B.P. No. 4168 of 2024 arising out of Manjhi P.S. Case No. 266 of 2024 is hereby set aside.

9. Let the appellant, in the event of his arrest or



surrender within four weeks from today, be released on bail on furnishing bail bonds of Rs. 10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned learned Exclusive Special Judge, SC/ST Act, Saran at Chapra/concerned Court below in connection with Manjhi P.S. Case No. 266 of 2024, subject to the conditions laid down under Section 438(2) of the Code of Criminal Procedure/482(2) of the BNSS.

(Sandeep Kumar, J)

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