

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.776 of 2025

Arising Out of PS. Case No.-516 Year-2024 Thana- PIRPAINTI District- Bhagalpur

Bholi Yadav S/O Late Banarsi Yadav R/O Vill.- Govindpur Mohanpur, PS-
Pirpanti, Dist.- Bhagalpur

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Ms. Pallavi Pandey, Advocate

Mr. Madan Mohan, Advocate

For the Respondent/s : Mrs. Usha Kumari 1, Spl. PP

For informant : Mr. Rahul Kumar Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 12-12-2025

Heard learned counsel for the parties.

2. This appeal has been filed for setting aside order dated 23.01.2025 passed in a case registered for the offence punishable under sections 103 (2) and 3 (5) of BNS and sections 3 3(i)(r)(s)/ 3(2) (va) of the Scheduled Castes and Scheduled Tribes Act, whereby the prayer for anticipatory bail of the appellant has been rejected.

3 . As per F.I.R. informant suspects that all the named accused persons including this appellant killed the son of informant namely Manoj Kumar by strangulating him with rope .

4. It is submitted on behalf of the appellant that



informant is not an eye witness to the alleged occurrence . Only suspicion has been raised against this appellant. he prosecution has not alleged any motive or mens rea attributable to the present appellant behind the aforesaid occurrence . Earlier, son of the informant has also lodged Pirpanti PS Case No. 485 of 2024 for the same occurrence against accused persons but has not named this appellant in the aforesaid case . There is no allegation that this appellant abused the informant or his son by caste name and as such, no case under Section SC / ST is made out.

5 . Learned counsel for the respondent No. 2 as well as learned special Public Prosecutor for the State opposed the bail.

6. Considering the aforesaid facts, this appeal is allowed with respect to this appellants only and the impugned order is set aside. Let the appellants, named above, in the event of arrest/surrender within a period of eight weeks from the date of receipt/production of a copy of this order, 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 the learned Special Judge SC / ST Bhagalpur in connection with Pirpanti Police Station Case



No. 516 of 2024 .

(Prabhat Kumar Singh, J)

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