

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.729 of 2025

Arising Out of PS. Case No.-22 Year-2024 Thana- DHANGAI District- Gaya

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1. Sanjay Yadav S/O Late Vasudev Yadav R/O Village- Rewda, PS- Dhangai, District- Gaya
 2. Kailu Yadav @ Kailash Yadav @ Kail Yadav S/O Late Vasudev Yadav R/O Village- Rewda, PS- Dhangai, District- Gaya

... .. Appellant/s

Versus

1. The State of Bihar
2. Kaushal Kumar S/O Sanjay Paswan R/O Village- Rewda, PS- Dhangai, District- Gaya

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Devashish Giri, Advocate

For the Respondent/s : Mr. Sadanand Paswan, Spl.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 28-02-2025 1. Heard learned counsel for the appellants and learned Spl.P.P. for the State.

2. This is an appeal under Section 14-A(2) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 (hereinafter referred to as the “SC/ST Act”) against the refusal of prayer for regular bail vide order dated 25.11.2024 in B.P. No. 3544 of 2024 passed by the learned Exclusive Special Judge, SC/ST, Gaya in connection with Dhangai P.S. Case No. 22 of 2024 registered under Sections 147, 148, 149, 325, 307, 504 and 506 of the Indian Penal Code, Section 27 of the Arms Act as well as Sections 3(i)(r)(s)/3(2) (va) of the SC/ST Act.



3. Learned counsel for the appellants submits that appellant no. 1 has antecedent of two cases and appellant no. 2 is a person with clean antecedent and the informant alleges that on 16.02.2024 he along with his family members had gone to attend a brahmbhoj on 07.02.2024 at the house of Ramvilash Manjhi. Further, at 07:00 p.m., when the informant went to attend the call of nature, the accused persons assaulted him by lathi, talwar, kudal and country made pistol and abused him by taking caste name. Further, the uncles of the informant, namely, Sukhinder Pawan and Satyendra Paswan were also assaulted by deadly weapon and even firing was made.

4. Learned counsel appearing on behalf of the appellants submits that appellants have been falsely implicated in the instant case by the informant. It is further submitted that from perusal of the allegation as alleged in the FIR, it would manifest that allegation of assault is not specific. It is next submitted that from perusal of Annexure-3, it would further manifest that the informant of this case is a trigger-happy person who is carrying gun in his hand. It is also submitted that charge-sheet has been submitted, as such, no useful purpose would be served by keeping the appellants behind bar.

5. Learned Special Public Prosecutor opposed the



prayer for bail.

6. Considering the submissions made by the learned counsel for the appellants, let the appellants, above named, be released on bail on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with the aforesaid case.

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

(Satyavrat Verma, J)

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