

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.838 of 2025

Arising Out of PS. Case No.-324 Year-2024 Thana- GURUA District- Gaya

SUDHIR YADAV @ SUDHIR KUMAR S/o- Surajdeo Yadav Village- Kaj
Tola Ajaypur Ps- Gurua Dist- Gaya

... .. Appellant/s

Versus

1. The State of Bihar
2. Renu Devi W/o- Pradeep paswan Village- Kaj Tola Ajaypur Po- Bharaunda
Ps- Gurua Dist- Gaya

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Shiva Shankar Sharma, Advocate
For the State : Mr. Binay Krishna, Special P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

4 27-11-2025 Heard learned counsel for the appellant and learned
Special 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 anticipatory bail vide order dated 05.02.2025, passed by learned Exclusive Special Judge SC/ST, Gaya in connection with Gurua P.S. Case No.324 of 2024, registered under Sections 127(1), 115(2), 74, 303(2) and 3(5) of B.N.S., 2023 as well as Sections 3(i)(r)(s) of the SC/ST Act.

3. The learned counsel appearing on behalf of the



appellant submits that appellant had antecedent of one case but then was acquitted. It is next submitted that respondent no.2 despite receiving notice chooses not to appear and contest. It is next submitted that informant alleges that accused persons on 06.10.2024 in the night came at her house in a drunken condition and started using abusive language, on hearing the noise, informant came out when both accused abused by taking caste name and on protest, she was unveiled and accused snatched her chain.

4. Learned counsel for the appellant submits that appellant has been falsely implicated in the instant case by the informant. It is next submitted that from perusal of the allegation, as alleged in the FIR, it would manifest that informant alleges that accused persons came in a drunken condition and started abusing but then the FIR is not instituted under the Excise Act. It is also submitted that even presuming what has been alleged is true without admitting then the entire occurrence took place at the house of the informant and thus was not in public view. It is also submitted that a general and omnibus allegation is alleged that accused persons abused by taking caste name. It is reiterated and submitted that appellant has been falsely implicated. It is also submitted that this perhaps



explains why informant despite receiving notice chooses not to appear and contest.

5. The learned Special P.P. opposes the appeal.

6. Considering the submissions made by learned counsel for the appellant, let appellant, above named, in the event of his arrest or surrender before the learned Trial Court within a period of six weeks from the date of receipt of the order, be released on anticipatory bail on furnishing bail bonds of Rs.5,000/- (Rupees Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Trial Court where the case is pending in connection with Gurua P.S. Case No.324 of 2024, subject to the conditions as laid down under Section 482(2) of the B.N.S.S.

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

(Satyavrat Verma, J)

Sanjay/-

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

