

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1267 of 2024

Arising Out of PS. Case No.-147 Year-2019 Thana- FATEHPUR District- Gaya

1. RAVI YADAV @ RAVI KUMAR YADAV Son of Rajendar Yadav Resident at 39, Benaras Road, Haora, Corporation, Salkia, Haora, West Bengal, Pin-711106.
2. BIJAY YADAV @ VIJAY YADAV S/o Loknath Yadav Resident of Village-Bhetaura, P.O.-Bahsa Pipra, Gaya, Bihar, Pin-824232.
3. DINANATH YADAV Son of Raman Yadav Resident of Village-Bhetaura, Gaya, Bihar, 824232.
4. MAHESH YADAV @ MAHESH KUMAR YADAV Son of Budhu Yadav Resident at Bhetara, Gaya (Bihar), Pin-824232.
5. POPAL YADAV @ AJAY YADAV Son of Loknath Yadav Resident of Village-Bhetaura, P.O.-Bahsapipra, P.S.-Fatehpur, Bhetaura, District-Bihar, Pin-824232.
6. RAVI YADAV @ RAVI KUMAR Son of Mahesh Yadav Resident of Village-Bhetaura, P.O.-Bahsa Pipra, P.S.-Fatehpur, District-Gaya.
7. SONI DEVI D/o Bijay Yadav Resident of Village-Bhetaura, P.O.-Basapipra, P.S.-Fatehpur, District-Gaya, Bihar, Pin-824232.
8. GORKI DEVI @ KANTI DEVI W/o Laknath Yadav Resident of Village-Bhetaura, P.O.-Bahsa Pipra, P.S.-Fatehpur, Bhetaura, District-Gaya, Pin-824232.
9. PRITI KUMARI @ PRITI DEVI Daughter of Loknath Yadav Resident of Village-Bhetaura, Police Station-Fatehpur, District-Gaya.
10. NANDU YADAV 2 NANDU KUMAR Son of Reva Yadav Resident of Village-Bhetaura, P.O.-Bahsaipra, P.S.-Fatehpur, District-Gaya, Pin-824232.
11. KAMESHWAR YADAV @ MANGRU YADAV Son of Raman Yadav Resident of at 39, Benaras Road, Haora Corporatio, saikia, Haora, West Bengal, Pin-711106.
12. GORE YADAV @ ARVIND KUMAR Son of Ramchandra Yadav Resident of Village-Bhetaura, P.O.-Bahsa Pipra, District-Gaya, Bihar.
13. REVA YADAV S/o Budhan Yadav Resident of Village-Bhetaura, P.O.-Bahsapipra, District-Gaya, Bihar.

... .. Appellant/s

Versus

1. The State of Bihar
2. USHA DEVI Wife of Mahavir Paswan Resident of Village-Bhetaura, Police Station-Fatehpur, District-Gaya.

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Syed Asgher Najmi, Adv.



For the Respondent/s : Mr. Bal Mukund Prasad Sinha, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 17-09-2025 1. Heard learned counsel for the appellants and
learned APP 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 25.11.2023 in A.B.P. No. 396 of 2023 passed by the learned Exclusive Special Judge S.C./S.T. (POA) Act, Gaya in connection with Fatehpur P.S. Case No. 147 of 2019 registered for the offences punishable under Sections 341, 323, 324, 337, 338, 379, 504, 506 and 34 of the Indian Penal Code as well as Sections 3(i)(r)(s) and 3(2)(va) of the SC/ST Act.

3. Learned APP for the State, at the outset, submits that from perusal of the FIR, it would manifest that the same was instituted in the year 2019 and the instant appeal has been filed in the year 2024 i.e. after five years of the occurrence and from perusal of the pleadings made in appeal, it would manifest that police after investigation submitted charge sheet and thereafter cognizance has been taken. It is next submitted that since cognizance has been taken, the same amply demonstrates



that *prima facie* offence against the accused persons is made out.

4. At this stage, the learned counsel appearing on behalf of the appellants is not in a position to rebut the submissions of the learned APP for the State.

5. Since cognizance has been taken in the case, as such, the Court is not inclined to allow the appeal.

6. Accordingly, the appeal is rejected.

7. However, the learned Trial Court while deciding the regular bail application of the appellants shall not be prejudiced by the fact that the appeal of the appellants stands rejected rather shall consider the case of the appellants on its own merit.

(Satyavrat Verma, J)

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