

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1267 of 2025

Arising Out of PS. Case No.-306 Year-2024 Thana- DELHA District- Gaya

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1. Ram Chandra Yadav son of Late Rameshwar Yadav Village-Vijaya Bigha PS- Delha Distt- Gaya
 2. Abhishek @ Banti Yadav @ Rohit Raj son of Ramchandra Yadav Village-Vijaya Bigha PS- Delha Distt- Gaya
 3. Shubham Kumar @ Shanti Yadav @ Santi Yadav son of Ramchandra Yadav Village-Vijaya Bigha PS- Delha, Distt- Gaya

... .. Appellant/s

Versus

1. The State of Bihar
2. Ranjeeta Kumari, Wife of Binod Kumar Village-vijaya Bigha PS- Delha Distt- Gaya

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr. Prakash Chandra Jha, Advocate
For Respondent No. 2	:	Mr. Mrigendra Kumar, Advocate
For the State	:	Mr. Binay Krishna, Spl. P.P.

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 20-05-2025 Heard learned counsel for the appellants, learned Spl. Public Prosecutor appearing on behalf of the State and learned counsel for the Respondent No. 2.

2. This appeal has been filed against the order dated 22.02.2025 passed by learned Exclusive Special Judge, SC/ST, Gaya in connection with A.B.P. No. 37 of 2025, arising out of Delha P.S. Case No. 306 of 2024, registered under Sections 324(4), 329(3), 352, 351(3), 3(5) of the Bharatiya Nyaya Sanhita, 2023 and Sections 3(1)(r), 3(1)(s) of Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, whereby



the prayer for anticipatory bail of appellants has been rejected.

3. On the alleged date and time of occurrence, these appellants along with other accused persons broke the gates of the informant and were closing the exit from the wall. On protest, Appellant No. 1 started abusing her by caste name. Appellant Nos. 2 and 3 were having pistol in their hands. On the next day also accused persons came and started breaking the wall and started abusing her by caste name.

4. Learned counsel for the appellants submits that appellants are innocent and have falsely been implicated in the present case due to land dispute. There is case and counter case between the parties. The place of occurrence is not the public place rather house/door of the informant, as such, no offence under SC/ST Act is made out. Appellant Nos. 1 and 2 have two criminal antecedents and Appellant No. 3 has clean antecedent.

5. Learned Spl. Public Prosecutor for the State and learned counsel for the respondent no. 2 oppose the bail application and submit that appellants are named in the First Information Report with allegation of abuse by caste name.

6. Considering the aforesaid facts and circumstances of the case as well as the rival submissions advanced on behalf



of the parties, let the appellants, as named above, in the event of their arrest/surrender within a period of eight weeks from today, be enlarged on bail on furnishing bail-bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Exclusive Special Judge, SC/ST, Gaya in connection with A.B.P. No. 37 of 2025 arising out of Delha P.S. Case No. 306 of 2024.

7. Accordingly, the impugned order dated 22.02.2025 is set aside and this criminal appeal is allowed.

(Sunil Dutta Mishra, J.)

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