

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL APPEAL (SJ) No.1416 of 2025**

Arising Out of PS. Case No.-8 Year-2025 Thana- KIUL District- Lakhisarai

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1. Bhola Yadav S/o- Late Goverdhan Yadav Village- Khagaur P.S- Kiul District-Lakhisarai
  2. Amarjit Kumar S/o- Sunil Yadav Village- Sitarampur P.S- Surajgarha District-Lakhisarai

... .. Appellant/s

Versus

1. The State of Bihar Bihar
2. Subodh Kumar S/o- Late Dashrath Paswan Village- Khagaur Ps- Kiul Dist- Lakhisarai

... .. Respondent/s

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**Appearance :**

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| For the Appellant/s  | : | Mr.Mayank Bilochan, Adv.                                                          |
| For the Respondent/s | : | Mr. Uday Kumar, Adv.<br>Mr. Chandan Kumar Kashyap, Adv.<br>Mr. Shashi Kumar, Adv. |
| For the State        | : | Mr.Binay Krishna,Spl.PP                                                           |

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**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH**

ORAL ORDER

4      03-07-2025                      Heard learned counsel for the appellants, learned counsel for the informant 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 against the rejection of prayer for bail of the appellants vide order dated 27.03.2025 by the learned District & Additional Sessions Judge-I-cum-Special Judge (SC/ST Act), Lakhisarai in connection with Application No. 463/2025 arising out of Kiul P.S. Case No. 08 of 2025 dated 11.02.2025 registered for the alleged offences punishable under Sections 126(2), 115, 109(1), 117,



303(2) read with Section 3(5) of the B.N.S. and Sections 3(2)(va) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.

3. As per prosecution case, when the informant was returning from marriage function then the appellant and the co-accused persons surrounded the informant and assaulted him with stick causing injury on his right hand. Further, the accused persons also assaulted the informant on his head due to which he fell down and he became unconscious and they snatched the gold chain and Rs. 14,500/- from the informant.

4. Learned counsel for the appellants submits that the appellants are innocent and have been falsely implicated in this case. There is general and omnibus allegation against the appellants. It is further submitted that there is no allegation of abusing against the appellants and hence, no offence under provisions of SC/ST Act is made out against the appellants. As per the injury report of the injured, the injury is stated to be grievous in nature which is on non-vital part of the body. It is further submitted that the appellants have no concern with the alleged offence. The appellants have no criminal antecedent as stated at para 3 of the bail petition. The appellants is in custody since 19.02.2025.

5. Learned Special Public Prosecutor for the State as



well as learned counsel for the respondent no. 2 have opposed the prayer for bail of the appellants.

6. In view of the aforesaid facts and circumstances of the case as well as finding substance in the contention of the learned counsel for the appellants, the impugned order dated 27.03.2025 by the learned District & Additional Sessions Judge-I-cum-Special Judge (SC/ST Act), Lakhisarai in connection with Application No. 463/2025 arising out of Kiul P.S. Case No. 08 of 2025, is set aside against the appellants. The criminal appeal is allowed.

7. Accordingly, the above named appellants, are directed to be enlarged on bail on furnishing bail bond of Rs. 20,000/- (Rupees Twenty thousand) each with two sureties of the like amount each to the satisfaction of the learned District & Additional Sessions Judge-I-cum-Special Judge (SC/ST Act), Lakhisarai in connection with Application No. 463/2025 arising out of Kiul P.S. Case No. 08 of 2025.

**(Chandra Prakash Singh, J)**

Gautam/-

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