

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1756 of 2025

Arising Out of PS. Case No.-13 Year-2025 Thana- SC/ST District- Rohtas

1. Sanjay Yadav @ Sanjay Kumar Yadav S/O Ramnaresh Yadav @ Ramnaresh Singh Resident of Village- Pali ward No. 14 Police Station- Dehri Town, Dist.- Rohtas
2. Chandan Kumar @ Vinay Kumar @ Vinay Yadav son of Ramnaresh Yadav @ Ramnaresh Singh Resident of Village- Pali ward No. 14 Police Station- Dehri Town, Dist.- Rohtas
3. Hari Yadav @ Vijay Kumar son of Ram Naresh Singh Yadav @ Ramnaresh Yadav @ Ramnaresh Singh Resident of Village- Pali ward No. 14 Police Station- Dehri Town, Dist.- Rohtas
4. Rukmina Devi wife of Lakshman Yadav Resident of Village- Pali ward No. 14 Police Station- Dehri Town, Dist.- Rohtas

... .. Appellant/s

Versus

1. The State of Bihar
2. Saraswati Devi Wife of Sri Ratan Resident of Village/Muhalla- Pali along the Sone River, Ward no.13, Post Office-Dalmiyanagar, Police Station -Dehari, District-Rohtas (Sasaram) Mobile no. 8789545038, PIN code- 821305

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Saroj Kumar
For the Respondent/s : Mr.Binay Krishna, Spl PP
Ms. Kiran Kumari Sharma, Adv

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

4 01-12-2025 1. Heard learned counsel for the appellants; learned Spl. P.P. for the State, Sri Binay Krishna and the learned counsel appearing on behalf of the informant.

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 7-4-2025 passed by the learned District and Additional Sessions Judge-17-cum-Special Judge S.C./S.T. (POA) Act, Sasaram, Rohtas in connection with SC/ST Dehri P.S. Case No. 13 of 2025, registered for the offences punishable under Sections 126(2), 115(2), 117(2), 74, 352, 351(2), 3(5) of BNS as well as Sections 3(1)(r)(s)(w)/3(2)(va) of the SC/ST Act.

3. Learned counsel for the appellants submits that the appellant nos. 1 and 2 have antecedent of one case and appellant No. 3 has antecedent of two cases and appellant No. 4 is a person with clean antecedent and the informant alleges that on 9-3-2025 at 9 am, all the accused persons came to her house with malicious intention and started abusing her by taking caste name, on objection Sanjay Yadav twisted her arm and pulled her hair, further Vinay restrained her daughter and started making obscene gesture with an intent to dishonour her, thereafter two unknown accused assaulted her son, Arun, by fist.

4. Learned counsel for the appellants submits that appellants have 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 the entire allegation took place at the house of the informant. It is also



submitted that from perusal of the allegation as alleged in the FIR, it would manifest that the FIR does not even remotely suggest that the occurrence was witnessed by any independent witnesses or neighbours. It is submitted that even presuming what has been alleged is true without admitting then the occurrence did not take place in public view and the informant has not alleged any motive for the occurrence.

5. Learned Spl. P.P. for the State and the learned counsel appearing on behalf of the informant opposes the prayer for anticipatory bail of the appellants, but then are not in a position to rebut the submission of the learned counsel appearing on behalf of the appellants that the entire occurrence took place at the house of the informant and thus was not in public view.

6. Considering the aforesaid facts, let the appellants above-named, in the event of their arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 5,000/- (Rupees Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with the aforesaid case, subject to the conditions as laid down under



Section 482 (2) of the BNSS.

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

(Satyavrat Verma, J)

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