

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1997 of 2024**

Arising Out of PS. Case No.-384 Year-2023 Thana- BUNIYAD GANJ District- Gaya

-
-
1. NIRHU YADAV @ PINTU KUMAR SON OF RAMJEE YADAV
RESIDENT OF VILLAGE - SAUNGHARA, P.S. - BUNIYADGANJ,
DISTRICT - GAYA
 2. MONTU YADAV @ MANTU RAJ @ MANTU KUMAR YADAV SON OF
MANOJ YADAV RESIDENT OF VILLAGE - SAUNGHARA, P.S. -
BUNIYADGANJ, DISTRICT - GAYA

... .. Appellant/s

Versus

1. THE STATE OF BIHAR
2. UPENDRA MANJHI SON OF SURESH MANJHI RESIDENT OF
VILLAGE - SONDH SHADIPUR, P.S. - BUNIYADGANJ, DISTRICT -
GAYA

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr. Ajay Kumar Sinha
For the Respondent/s	:	Mr. Sadanand Paswan

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

4 02-09-2025 1. Heard the learned counsel for the appellants, the
learned Special P.P. Mr. Sadanand Paswan 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 21.03.2024 in A.B.P. No. 94 of 2024 passed by the
learned Exclusive Special Judge, SC/ST Act, Gaya in
connection with Buniyadganj P.S. Case No.384/2023, registered



under Sections 147, 148, 149, 341, 342, 323, 325, 307, 379, 504, 506 of the Indian Penal Code as well as Sections 3(i)(x) of the SC/ST (POA) Act.

3. Learned counsel for the appellants submits that the appellants are persons with clean antecedent. It is next submitted that Tutu Yadav @ Roushan Kumar @ Raushan Kumar had approached this Court seeking anticipatory bail by filing Cr. Appeal (SJ) No.2074/2024 and the same was allowed by an order dated 04.12.2024 by a learned coordinate Bench. It is next submitted that the case of the appellants is similar to the case of Tutu Yadav. It is next submitted that Tutu Yadav is alleged to have assaulted the informant by butt of pistol causing injury on head and thereafter it is alleged that appellant no.1 and 2 assaulted the informant by an iron pipe and lathi causing injury.

4. Learned counsel appearing on behalf of the appellants submits that there is specific allegation against Tutu Yadav of causing injury on head of the informant by butt of pistol but as far as appellants are concerned, the FIR does not disclose that as to on which body part of the informant they assaulted.

5. Learned Special Public Prosecutor and the learned



counsel appearing on behalf of the informant opposes the appeal. The learned counsel appearing on behalf of the informant submits that informant was brutally assaulted by the accused persons, on account of which, he received four injuries on different part of the body and all the injuries have been opined to be grievous. It is next submitted that no doubt Tutu Yadav has been granted the privilege of anticipatory bail by a learned coordinate Bench but then while granting the privilege of anticipatory bail, it appears that the learned Advocate did not bring to the notice of the Court that all the injuries suffered by the informant are grievous in nature as the injuries have not been discussed in the order granting anticipatory bail.

6. Considering the submission made by the learned counsel appearing on behalf of the informant, the Court is not inclined to extend the privilege of anticipatory bail to the appellants.

7. Accordingly, the appeal is dismissed.

(Satyavrat Verma, J)

amit/-

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

