

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1783 of 2025

Arising Out of PS. Case No.-733 Year-2024 Thana- BELAGANJ District- Gaya

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1. Uday Yadav S/O Late Ram Saroop Yadav @ Late Ram Swrup Yadav @ Bithal Yadav R/O Village- Bundelabigha Tola Baljoribigha, P.S- Belaganj, Distt.- Gaya.
 2. Satish Yadav @ Satish Kumar S/O Uday Yadav R/O Village- Bundelabigha Tola Baljoribigha, P.S- Belaganj, Distt.- Gaya.
 3. Manish Yadav @ Manish Kumar S/O Uday Yadav R/O Village- Bundelabigha Tola Baljoribigha, P.S- Belaganj, Distt.- Gaya.

... .. Appellant/s

Versus

1. The State of Bihar
2. Minti Kumari D/O Badri Manjhi R/O Village- Bundelabigha Tola Baljoribigha, P.S- Belaganj, Distt.- Gaya.

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Sunil Kumar Yadav, Advocate
For the Respondent/s : Mr. Binay Krishna, Spl. PP.

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

4 12-11-2025 Heard learned counsel for the appellants, learned counsel for respondent no.2 and learned Special Public Prosecutor 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 bail vide order dated



22.03.2025 passed by the learned Exclusive Special Judge SC/ST, Gaya in ABP No. 73 of 2025 arising out of Belaganj P.S. Case No. 733 of 2024 registered for the offences punishable under Sections 126(2), 115(2), 74, 352, 351(2), 3(5) of Bharatiya Nyaya Sanhita, 2023 and Section 3(1)(r), 3(1)(s) of the SC/ST Act.

3. Earlier notice was issued to the respondent no. 2 but no one appeared on behalf of the respondent no. 2 even after valid service of notice.

4. The case of the prosecution, in brief, is that on 18.12.2024 at about 06:00 pm, the informant went for open defecation. In the meanwhile, the accused namely, Manish Yadav (appellant no. 3) along with 4-5 unknown persons tried to outrage her modesty. On alarm, the villagers gathered but all the accused ran away. In the morning, the informant with her sister-in-law went to the resident of the accused to complain but the accused started assaulting the informant with iron rod inflicting injuries on the head, abused by caste indicative words. Thereafter, the accused assaulted sister-in-law and mother of the informant inflicting head injuries. All the accused threatened the informant of dire consequences.

5. Learned counsel for the appellants submits that



appellants are innocent and they have been falsely made accused in this case. There is no specific allegation against the appellants rather the allegations levelled against the appellants are general and omnibus in nature. Learned counsel further submitted that the occurrence took place at the house of the informant, which is not within a public view and as such, no offence under Section SC/ST Act is made out against the appellants. It is next submitted that the injury received by the informant is simple in nature. Lastly, it has been submitted that appellants have no criminal antecedents.

6. Learned Special Public Prosecutor for the State vehemently opposed the prayer of the appellants.

7. Having considered the facts and circumstances of the case, let the above named appellants, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, upon furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Judge SC/ST, Gaya in connection with Belaganj P.S. Case No. 733 of 2024, subject to the condition as laid down under Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023.

8. The impugned order dated 22.03.2025 passed in



ABP No. 73 of 2025 arising out of Belaganj P.S. Case No. 733
of 2024 by the learned Exclusive Special Judge SC/ST, Gaya is
hereby set aside.

9. The appeal stands allowed.

(Khatim Reza, J)

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