

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1840 of 2025

Arising Out of PS. Case No.-68 Year-2025 Thana- RAJNAGAR District- Madhubani

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1. Pappu Yadav S/O Late Rajeshwar Yadav R/O Village- Pariharpur, PS- Rajnagar, District- Madhubani
 2. Binay Yadav @ Vinay Kumar Yadav S/O Late Rajeshwar Yadav R/O Village- Pariharpur, PS- Rajnagar, District- Madhubani
 3. Shiv Kumar @ Shiv Yadav S/O Nathuni Yadav R/O Village- Pariharpur, PS- Rajnagar, District- Madhubani
 4. Santosh Yadav @ Santosh S/O Kapleshwar Yadav R/O Vill.- Belauja, P.s.- Rahika, Dist.- Madhubani

... .. Appellant/s

Versus

1. The State of Bihar
2. Pappu Kumar Safi S/O Sohan Safi R/O Village- Pariharpur, PS- Rajnagar, District- Madhubani

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mrs. Nitu Kumari, Advocate
	:	Mr. Rohit Kumar, Advocate
For the Respondent/s	:	Mr. Binay Krishna, Spl. P.P.
	:	Mr. Subhash Kumar Jha, Advocate

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

4 10-12-2025 Heard learned counsel for the appellants, learned Spl. P.P. for the State and learned counsel appearing on behalf of the informant.

2. Learned counsel for the appellants, after some arguments seeks, permission to withdraw the appeal with respect to appellant no.3 Shiv Kumar @ Shiv Yadav.

3. Permission is accorded.

4. Accordingly, the instant appeal with respect to



appellant no.3 is dismissed as withdrawn.

5. 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 03.04.2025 in A.B.P. No. 549 of 2025 passed by the learned Additional Sessions Judge-I-Cum-Special Judge, S.C./S.T. Madhubani in connection with Rajnagar P.S. Case No. 68 of 2025 registered for the offences punishable under Sections 126(2), 115(2), 109(1), 329(3), 308(3), 303(2), 352, 351(2) and 3(5) of the BNS as well as Sections 3(1)(r)(s) and 3(2)(va) of the SC/ST Act.

6. Learned counsel for the appellants submits that the appellant nos.1 and 2 are persons with clean antecedent and the informant alleges that accused persons had come at his door on 24.02.2025 at about 06:00 A.M. and started abusing by taking caste name, on protest Vijay assaulted by farsa causing injury on head, thereafter Pappu assaulted by sickle causing tearing of jacket, further Santosh assaulted his father by a iron rod causing injury on his shoulder and thereafter Shiv tried to strangulate his father and also assaulted the informant by an iron rod on both his legs causing fracture thereafter all the accused brought out of



the home and abused him and spat on his face, saying you have become senior office and Bijay and Shiv confined him and demanded extortion of Rs. 10,00,000/- and Pappu snatched his mobile and injured were taken to hospital.

7. Learned counsel for the appellants submits that the appellants have been falsely implicated in the instant case, by the informant. It is next submitted that the present appeal with respect to Vijay Yadav was also withdrawn by an order dated 13.05.2025. It is next submitted that daughter of Vijay Yadav married the elder brother of the informant which led to acrimony in between the family as the marriage was inter-caste marriage. It is further submitted that though it is alleged that appellants abused and assaulted but then allegation of assault is abuse is general and omnibus in nature. It is also submitted that even presuming what has been alleged is true without admitting then the occurrence is alleged to have taken place at the house of the informant and the injury caused to the injured on account of assault alleged by the appellants Pappu and Binay has been opined to be simple in nature. It is thus submitted that the occurrence did not take place in public view.

8. Learned Spl. P.P. for the State and learned counsel for the informant oppose the prayer for anticipatory bail of the



appellants.

9. 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. 10,000/- (Rupees Ten 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.

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

(Satyavrat Verma, J)

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