

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1814 of 2025

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

1. Suman Yadav, aged about 30 years, Male,
2. Raman Kumar Yadav, aged about 27 years Male,
Both are sons of Rajkumar Yadav @ Raj Kumar Yadav @ Rajo Yadav,
resident of village- Nima Bichla Tol, Ward No. 15, P.S.- Bheja, District-
Madhubani

... .. Appellant/s

Versus

1. The State of Bihar
2. Saro Devi, wife of Rajan Kumar Saday, resident of Village- Nima, Ward
No.-15, PS- Bheja Dist- Madhubani

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr. Dhananjay Kumar Tiwary, Advocate
For the State	:	Mr. Usha Kumari 1, Spl. PP
For the Respondent No.2:	:	Mr. Ratnakar Jha, Advocate

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

3 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
15.04.2025 passed by the learned Additional Sessions Judge 1st
cum Special Judge (SC/ST), Madhubani, in connection with
SC/ST P.S. Case No.13 of 2025 registered for the offences



punishable under Sections 331(5), 126, 115(2), 109, 76, 324(4), 352, 351(2), 3(5) of *Bharatiya Nayaya Sanhita*, 2023, and Section 3(i)(r)(s) (w) (I), 3(2)(va) of the SC/ST Act.

3. The case of the prosecution, in brief, is that the informant along with her husband was in her house. In the meanwhile, the appellants along with four other unknown persons entered in her house and forcibly brought her husband outside the house and assaulted him due to which he sustained injury in his hand and head. The appellants are alleged to have assaulted the informant in the room and abused her by caste name and outraged her modesty. When the family members of the informant came there, appellant no.1 took out knife and assaulted the informant on her head. Other accused persons assaulted them with *lathi* and rod.

4. Learned counsel for the appellants submits that there is specific allegation against appellant no.1 that he inflicted knife blow on the head of the informant by means of knife and misbehaved with her and except that there is general and omnibus allegation against another appellant and other unknown persons. Further submission is that the informant was examined by the doctor and in the injury report, the doctor has opined only headache, chest pain and bodyache on the person of



the injured. There is no mention of any sharp cut injury either on the head or any part of the body. It is also submitted that the allegation against the appellants is that they entered into the house of the informant and abused her by taking her caste name and, thus, the offence under SC/ST would not be made out as the offence was not committed in public place or within public view. Lastly, it is submitted that the appellants have no criminal antecedents.

5. Learned Special Public Prosecutor for the State as well as learned counsel for respondent no.2 vehemently opposed the prayer of the appellants. Learned counsel for the respondent submits that there is direct allegation against the appellant no.1.

6. 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) each with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge 1st cum Special Judge (SC/ST), Madhubani, in connection with SC/ST P.S. Case No.13 of 2025, subject to the conditions as laid down under Section 482(2) of the *Bharatiya Nagarik Suraksha Sanhita*, 2023.



7. The impugned order dated 15.04.2025 passed by the learned Additional Sessions Judge 1st cum Special Judge (SC/ST), Madhubani, in connection with SC/ST P.S. Case No.13 of 2025 is hereby set aside.

8. The appeal stands allowed.

(Khatim Reza, J)

J. Alam/-

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

