

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.2160 of 2025

Arising Out of PS. Case No.-23 Year-2025 Thana- Gehlaur District- Gaya

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1. Yogendra Ram @ Yogendra Prasad Son of Late Kamla Prasad Resident of Village- Parasa, Harijan Toli, Police Station- Gehlaur, District- Gaya, (Gayajee)
 2. Deepak Kumar Son of Sarwan Ram Resident of Village- Parasa, Harijan Toli, Police Station- Gehlaur, District- Gaya, (Gayajee)
 3. Vikash Kumar Son of Sarwan Ram Resident of Village- Parasa, Harijan Toli, Police Station- Gehlaur, District- Gaya, (Gayajee)
 4. Sanjay Ram Son of Bimal Ram Resident of Village- Parasa, Harijan Toli, Police Station- Gehlaur, District- Gaya, (Gayajee)

... .. Appellant/s

Versus

1. The State of Bihar
2. Parwati Devi W/O Rajendra Paswan Resident of Village- Parasa, Police Station- Gehlaur, District Gaya.

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Chandrasen Prasad Singh
For the Respondent/s : Ms. Usha Kumari 1- Spl. P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 11-09-2025 1. Heard learned counsel for the appellants and learned Special P.P. for the State.

2. The appellants have challenged the order dated 22.04.2025 passed by the learned Exclusive Special Judge, SC/ST, Gaya in connection with ABP No.106 of 2025 arising out of Gehlaur P. S. Case No.23 of 2025, instituted for the offences under Sections 126, 115(2), 352, 351(2), 109, 117, 74, 3(5) of the Indian Penal Code and Sections 3(1)(r)(s),3(2)(v-a) of the Scheduled Castes & Scheduled Tribes (Prevention of



Atrocities) Act, 1989, whereby their prayer for grant of anticipatory bail has been rejected.

3. The learned counsel for the appellants submits that appellants are persons with clean antecedent. It is next submitted that the side of the informant on the eve of Holi were playing vulgar DJ Music which was objected by the side of the appellants, on account of which an altercation took place in which both sides assaulted each other. It is next submitted that from the side of the informant, the instant FIR came to be instituted while from the side of the appellants, Gehlaur P. S. Case No.24 of 2025 came to be instituted. It is next submitted that no doubt, it is alleged that accused persons including the appellants assaulted, but then, the injury suffered by the injured from the side of the informant has been opined to be simple.

4. The learned Special P. P. submits that from perusal of the order dated 17.06.2025, it would manifest that the appeal with respect to appellant nos.2 and 3 was permitted to be withdrawn as they were arrested. It is next submitted that there is allegation of assaulting the side of the informant by the appellants and their side.

5. On query of the Court from the learned counsel appearing on behalf of the appellants that as to whether



appellant nos.2 and 3 are in custody or have been granted the privilege of regular bail on which the learned counsel appearing on behalf of the appellants submits that the arrested accused were granted the privilege of regular bail by an order dated 15.07.2025 in B.P. No.1911 of 2025 by the learned Special Judge, SC/ST Gaya, on which learned Special P. P. submits that the appellants should also seek regular bail.

6. At this stage, the learned counsel appearing on behalf of the appellants seeks permission to withdraw the present appeal with liberty to surrender and seek regular bail.

7. Permission is accorded.

8. Accordingly, instant appeal is dismissed as withdrawn.

9. It is made clear that in the event, if the appellants surrender on or before 08.10.2025, in that event, the learned trial Court shall dispose of the case on the same day keeping in mind the order dated 15.07.2025 in B.P. No.1911 of 2025.

(Satyavrat Verma, J)

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