

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.2361 of 2025

Arising Out of PS. Case No.-572 Year-2024 Thana- FATUA District- Patna

Sonu Yadav @ Sonu Kumar S/O Karu Yadav R/O Vill.- Ranipur, P.s.- Fatuha,
Dist.- Patna.

... .. Appellant/s

Versus

1. The State of Bihar Bihar
2. Kavita Devi W/O Lalbahadur Paswan R/O Vill.- Ranipur, P.s.- Fatuha, Dist.- Patna.

... .. Respondent/s

Appearance :

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

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

3 01-08-2025 1. Heard the parties.

2. An order dated 29.04.2024 passed by learned Exclusive Special Judge, SC/ST Act, Civil Court (Sadar) Patna in connection with Special Case No. 447 of 2024 Serial No. 357 of 2024 arising out of Fatuha P.S. Case No. 572 of 2024 for the offence registered under section 126(2), 115(2), 103(1), 352, 62(2) of B.N.S. and Section 27 of the Arms Act and 3(1)(r)(s) / 3(2)(v) of the Schedule Caste and Schedule Tribe (Prevention of Atrocities) Act is under challenge in the present appeal preferred under Section 14-A(2) of the Schedule Caste and Schedule Tribe (Prevention of Atrocities) Act 1989 whereby regular bail application of the appellant has been rejected.

3. The prosecution case as per the first information report is



that on 22.08.2024 at about 6:00 p.m. the husband of the informant was working in construction of village temple. In the meantime, all accused persons including the appellant having arms in their hands arrived there and started abusing the informant's husband by taking caste name. It has further been alleged that the appellant caught hold of the informant's husband and the co-accused / Bhola Yadav fired upon the informant's husband, who died during the course of treatment.

4. Mr. S.K. Lal, learned counsel for the appellant submits that the appellant has not committed any offence in the manner alleged and no overt act has been alleged against him. He next submits that allegation of firing on the informant's husband is specifically upon the co-accused / Bhola Yadav. He also submits that false and concocted allegation has been levelled against the appellant due to village politics. The appellant is in custody since 15.03.2025. He further submits that the co-accused Pintu Kumar @ Pintu Yadav in Cr. Appeal (SJ) No. 5310 of 2024, Manoj Kumar @ Manoj Yadav in Cr. Appeal (SJ) No. 5515 of 2024, Dhananjay Kumar & Anjay @ Sanjay Kumar in Cr. Appeal (SJ) No. 4941 of 2024 respectively have been granted regular bail by this Court.

5. Regard being had to the submissions made by the parties,



taking into consideration the nature of allegation, the fact that there is no allegation of any specific over act attributed to the appellant, the appellant caught hold of the informant's husband (deceased), other co-accused have been granted regular bail by this court and the appellant is in custody since 15.03.2025, accordingly, I am inclined to grant regular bail to the appellant.

6. The appeal is accordingly allowed and the order dated 29.04.2024 passed by learned Exclusive Special Judge, SC-ST Act, Civil Court (Sadar) Patna in connection with Special Case No. 447 of 2024 Serial No. 357 of 2024 arising out of Fatuha P.S. Case No. 572 of 2024 is set aside.

7. Let the appellant, above named, be released on regular bail on furnishing bail bond of Rs. 10000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned learned Exclusive Special Judge, SC-ST Act, Civil Court (Sadar) Patna in connection with Special Case No. 447 of 2024 Serial No. 357 of 2024 arising out of Fatuha P.S. Case No. 572 of 2024.

(Anil Kumar Sinha, J)

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