

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.2331 of 2025

Arising Out of PS. Case No.-11 Year-2025 Thana- CHANDAUTI District- Gaya

Inderdev Yadav @ Indradeo Yadav S/O Late Sitaram Yadav Resident of
Village- Kandi Nawada, P.S.- Chandauti, District- Gaya,

... .. Appellant/s

Versus

1. The State of Bihar
2. Sunita Kumari W/O Ajay Kumar Rajak Resident of Village- A.N.
Road, Kukharani Mandir, P.S.- Kotwali, District- Gaya,

... .. Respondent/s

Appearance :

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

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

4 07-10-2025 1. Heard learned counsel for the appellant and the
learned Special P.P. Mr. Sadanand Paswan and the learned
counsel appearing on behalf of the O.P. No.2.

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 anticipatory bail vide
order dated 21.03.2025 in A.B.P. No. 75 of 2025 passed by the
learned Exclusive Special Judge, SC/ST, Gaya in connection
with Chandauti P.S. Case No.11/2025, registered under Sections
190, 191(2), 115(2), 119(1), 308(2), 351(2), 352 of the BNS,
2023 and Sections 3(i)(r), 3(i)(s) of the SC/ST (POA) Act.



3. Learned counsel for the appellant submits that the appellant has antecedent of five cases but then four cases have been compromised, as such only one case presently is pending against the appellant. It is further submitted that in sum and substance the informant alleges that on 29.05.2023 at about 12 Noon the informant was getting boundary wall erected on her land appertaining to Khata No.467, Khesra No.1283, when accused Md. Saif and Parvez Hasan along with 10 unknown accused came and drove away the labour and masons who were involved in constructing the boundary wall and also abused the informant by caste name and threatened of dire consequences, further on 21.12.2024 the informant again went on her land and started the construction work but then the accused persons came along with the appellant and demanded extortion.

4. Learned counsel for the appellant submits that appellant has been falsely implicated in the instant case by the informant. It is next submitted that informant had purchased the land in dispute from the appellant as such why appellant would demand extortion from the informant. It is further submitted that the accused persons are creating problem for the informant in getting her boundary wall constructed. It is further submitted that it is not the case of the informant that appellant sold the



land which did not belong to him. It is asserted and submitted that appellant is the owner of the land and he sold the land to the informant for consideration but thereafter if dispute had arisen the appellant cannot be faulted.

5. Learned Special Public Prosecutor and the learned counsel appearing on behalf of the informant opposes the prayer for anticipatory bail of the appellant but then are not in a position to rebut the submission of the learned counsel appearing on behalf of the appellant that informant had purchased the land from the appellant and does not allege that the said purchase was a fraudulent transaction.

6. Considering the submission of the learned counsel for the appellants, the order impugned is set aside. Let the appellants, above named, in the event of their arrest or surrender before the learned Court below within a period of six weeks from the date of receipt of the order, be released on anticipatory bail on furnishing bail bond of Rs.5,000/- (rupees five thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending in connection with the aforesaid case, subject to the conditions as laid down under Section 482(2) of the BNS, 2023.

7. Accordingly, the impugned order is set aside and



this appeal stands allowed.

(Satyavrat Verma, J)

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