

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.2406 of 2025

Arising Out of PS. Case No.-15 Year-2025 Thana- Dhobaha District- Bhojpur

Ravi Yadav @ Ravi Kumar Yadav S/O Jagan Yadav R/O Village And PO-
Salempur, PS- Dhobha, District- Bhojpur

... .. Appellant/s

Versus

1. The State of Bihar Bihar
2. Suraj Kumar S/O Bharat Ram R/O Vill Salempur , P.S. Dhobha Dist Bhojpur

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr.Bibhakar Tiwary, Adv.
For the informant	:	Mr. Diwakar, Adv.
		Mr. Deepak Kumar, Adv.
For the State	:	Mr.Binay Krishna, Spl.PP

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

3 07-08-2025 Heard learned counsel for the appellant, learned
counsel for the informant and learned Spl. P.P. 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 against the rejection of prayer for bail of the appellant vide order dated 15.05.2025 passed by the learned Additional Sessions Judge-I-cum-Special Judge (SC/ST Act), Bhojpur at Ara in connection with B.P. No. 1762/2025 arising out of Dhobaha P.S. Case No. 15 of 2025 dated 04.02.2025 registered for the alleged offences punishable under Sections 191(2), 191(3), 190, 126(2), 115(2), 75, 109(1), 303(2), 352, 351(2) read with Section 3(5) of the B.N.S. and Section 27 of



the Arms Act and Sections 3(1)(r)(s)/ 3(2)(va) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.

3. As per prosecution case, on 04.02.2025, the informant's neighbour Tannu Kumari was going to field for defecation then the co-accused, Bhim Yadav and Tunna Yadav started molesting her and also abused her by calling her caste name. Thereafter, Tannu Kumari told the incident to her parents and her parents informed the informant. The informant along with others went to the co-accused, Bhim Yadav and Tunna Yadav then they started abusing them by calling their caste name. The other co-accused persons variously armed with lathi, danda, iron rod started assaulting the informant's side. The co-accused, Upendra Kumar assaulted Mahendra Kumar with iron rod on his head causing bleeding injury. The co-accused, Munna Yadav assaulted Vikash Kumar on his head with danda and the co-accused, Nitu Yadav assaulted Indal Kumar with danda causing injuries to them. The co-accused, Surendra Yadav assaulted Soni Kumar with danda and the co-accused, Bhola Yadav assaulted Puspa Devi with danda on her shoulder and neck causing injuries to them. The co-accused, Nagendra Yadav assaulted the informant on his head with danda due to which the informant became unconscious and fell down. In the meantime,



the appellant and the co-accused, Shankar Yadav reached there and started firing continuously with their pistol and rifle. The co-accused, Nagendra Yadav snatched the gold locket from the neck of the informant. Thereafter, the accused persons fled away from the spot.

4. Learned counsel for the appellant submits that the appellant is innocent and has falsely been implicated in this case. There is no specific allegation against the appellant rather the only allegation is against the appellant is of firing on air. Learned counsel has further submitted that no one sustained firearm injury. Nothing has been recovered from the conscious possession of the appellant. It is further submitted that there is no allegation of abusing is against the appellant and hence, no offence under provisions of SC/ST Act is made out against the appellant. The appellant has two criminal antecedents as stated in para 3 of the bail petition. The appellant is in custody since 23.04.2025.

5. Learned Special Public Prosecutor for the State as well as learned counsel for the respondent no. 2 have opposed the prayer for bail of the appellant and submitted that as per para 12 of the case diary, two yellow colored bullet cartridges were found from the place of occurrence.



6. In view of the aforesaid facts and circumstances of the case as well as finding substance in the contention of the learned counsel for the appellant, the impugned order dated 15.05.2025 passed by the learned Additional Sessions Judge-I-cum-Special Judge (SC/ST Act), Bhojpur at Ara in connection with B.P. No. 1762/2025 arising out of Dhobaha P.S. Case No. 15 of 2025, is set aside against the appellant. The criminal appeal is allowed.

7. Accordingly, the above named appellant, is directed to be enlarged on bail on furnishing bail bond of Rs. 20,000/- (Rupees Twenty thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge-I-cum-Special Judge (SC/ST Act), Bhojpur at Ara in connection with B.P. No. 1762/2025 arising out of Dhobaha P.S. Case No. 15 of 2025 with the condition :-

(i) The appellant is directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bond of the petitioner is liable to be cancelled.

(Chandra Prakash Singh, J)

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