

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL APPEAL (SJ) No.2430 of 2025**

Arising Out of PS. Case No.-67 Year-2024 Thana- SC/ST District- Gaya

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1. Dilip Yadav son of Late Jagdish Yadav Village -Rajwar PS- Mohanpur, Dist- Gaya
  2. Kamlesh Yadav son of Bodhan yadav Village- Dema tola Wargama, Ps- Mohanpur, Dist- Gaya

... .. Appellant/s

Versus

1. The State of Bihar
2. Badho Manjhi Son of Late Bandhu Manjhi village- Dema Tola, Gohati, ps- Mohanpur, Dist- Gaya

... .. Respondent/s

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**Appearance :**

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| For the Appellant/s  | : | Mr.Subodh Kumar Barnwal, Adv |
| For the Respondent/s | : | Mr.Binay Krishna, Spl. PP    |
|                      |   | Mr. Rajeev Nayan, Adv        |
|                      |   | Mr. Manish Kumar, Advocate   |
|                      |   | Mr. Nandlal Kumar, Adv       |

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**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA**  
**ORAL ORDER**

4      01-12-2025                      1.      Heard learned counsel for the appellants; learned Spl. P.P. for the State, Sri Binay Krishna and the learned counsel appearing on behalf of the informant.

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 2-5-2025 in A.B.P. No. 114 of 2025 passed by the learned Exclusive Special Judge S.C./S.T. (POA) Act, Gaya in connection with SC/ST P.S. Case No. 67 of 2024, registered for the offences punishable under Sections 126(2), 115(2), 303(2), 351(2), 352, 3(5) of the BNS as well as Sections 3(1)(r), 3(1)(s), 3(2)(va) of the SC/ST Act.



3. Learned counsel for the appellants submits that appellant No. 1 has antecedent of three cases and appellant No. 2 is a person with clean antecedent and the informant alleges that on 15-12-2024 at 8 PM, he was returning home from the village of his sister and when he reached near Rajwar Chowdhary Tola, the named accused persons along with 3-4 unknown accused, intercepted him and started assaulting and abusing the victim, on account of which he suffered injuries on his head, on alarm Sugodh Manjhi came, but the accused also assaulted him and snatched the motorcycle of the informant and threatened for dire consequences.

4. The learned counsel for the appellants submits that the appellants have been falsely implicated in the instant case by the informant. It is next submitted that from perusal of the allegations as alleged in the FIR, it would manifest that allegation of assault and abuse is general and omnibus in nature. It is also submitted that it does not appear probable that all the accused persons in one go would have assaulted or abused. It is submitted that there is a dispute in between the parties with regard to grabbing of land of Khajwati Math and the appellant No. 1 is opposing the endeavours of the informant in grabbing the land of the *Math*, as such the instant false case came to be



instituted with general and omnibus allegations.

5. Learned Spl. P.P. for the State and the learned counsel appearing on behalf of the informant opposes the prayer for anticipatory bail of the appellants but then are not in a position to rebut the submission of the learned counsel appearing on behalf of the appellants that the allegation of assault and abuse is general and omnibus in nature.

6. Considering the aforesaid facts, let the appellants above-named, in the event of their arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with the aforesaid case, subject to the conditions as laid down under Section 482 (2) of the BNSS.

7. Accordingly, the impugned order is set aside and the appeal stands allowed.

**(Satyavrat Verma, J)**

Sumit/-

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