

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.2564 of 2025

Arising Out of PS. Case No.-22 Year-2025 Thana- PRATAPGANJ District- Supaul

Aplesh Kumar Yadav, S/O Dularchand Yadav, R/O Village- Gangsaair, PS-Pratapganj, district- Supaul

... .. Appellant/s

Versus

1. The State of Bihar
2. Anjani Devi, W/O Late Arvind Kumar, R/O Mohalla-Belahi, Ward no. 3, PS-Pratapganj, Distt-Supaul

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Pramod Mishra, Advocate
For the Respondent/s : Mr. Sadanand Paswan, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

3 20-11-2025 Heard learned counsel for the appellant, learned counsel for the respondent 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 (hereinafter referred to as the “SC/ST Act”) against the refusal of prayer for anticipatory bail vide order dated 19.05.2025 passed by the learned Additional Sessions Judge Ist-cum-Special Judge S.C./S.T. Act, Supaul in connection with Pratapganj P.S. Case No. 22 of 2025 registered for the offences punishable under Sections 140(1), 103(1), 61(2) and 3(5) of B.N.S. and Section 27 of the Arms Act as well as Sections 3(1)(r)(s) and 3(2)(va) of the SC/ST (POA) Act.



3. The case of the prosecution, in short, is that on 05.02.2025 at about 6:00 P.M., Deepak Kumar, Krish Kumar and Anil Kumar Yadav called the husband of the respondent Arvind Kumar from house and took him to a white colour Scorpio vehicle, parked on the road, wherein Mukesh Kumar, his brother-in-law and the petitioner were also sitting. It is alleged that above-named accused persons took the respondent's husband in that vehicle and moved towards Simarhi and later the dead body of the husband of the respondent was found.

4. Learned counsel for the appellant submits that the appellant has been falsely implicated in the instant case. He is innocent and has committed no offence. It has further been submitted that in this case, there are three confessional statements. One is that of Apdesh Kumar, second is of Rahis and 3rd is of Mukesh Kumar. It has been submitted that Apdesh Kumar and Rahis have not named him rather Mukesh Kumar has named this appellant as one of the co-accused. It has also been submitted that there is no eye witness to the occurrence.

5. Learned Spl. P.P. for the State and learned counsel for the respondent have vehemently opposed the appeal for bail and have submitted that appeal for regular bail of similarly situated accused Mukesh Yadav @ Mukesh Kumar has been



refused by a learned Co-ordinate Bench vide order dated 11.09.2025 passed in Cr. Appeal (SJ) No. 2256 of 2025. The allegations against Mukesh and this appellant are similar in nature and that the appeal of this appellant does not deserve to be allowed.

6. Heard the learned counsel for the parties and perused the case records.

7. From perusal of the F.I.R., it is clear that the appellant is named in the F.I.R. Though, there is no specific allegation against any of the accused in the F.I.R. but the story has been cleared during course of investigation by the confessional statement of the co-accused. The nature of allegations which co-accused Mukesh Yadav had are similar to this appellant.

8. Considering the above facts and circumstances of the case, I am not inclined to grant anticipatory bail to the appellant and this is a fit case for regular bail.

9. Accordingly the appeal stands dismissed.

(Ashok Kumar Pandey, J)

lata/-

U		T	
---	--	---	--

