

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.3204 of 2024

Arising Out of PS. Case No.-20 Year-2024 Thana- SC/ST District- Madhubani

Sonu Yadav @ Sonu Kumar Yadav SON OF BAHADUR YADA @ RAM
BAHADUR YADAV R/O- VILLAGE- MALMAL UTTAR DANI TOL, P.S.-
KALUWAHI, DISTT.- MADHUBANI

... .. Appellant/s

Versus

1. The State of Bihar
2. RENU DEVI WIFE OF BIRENDRA RAM R/O- VILLAGE- UTTAR DANI
TOL, P.S.- KALUWAHI, DISTT.- MADHUBANI

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Shailendra Kumar Jha, Advocate
For the Respondent/s : Mr. Binay Krishna, Spl. PP

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

4 07-11-2025 Heard learned counsel for the appellant and learned
Special Public Prosecutor for the State.

2. Despite valid service of notice upon respondent no.
2, there is none to represent him.

3. 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
anticipatory bail vide order dated 20.06.2024 passed by the
learned Additional Sessions Judge-Ist-cum-Special Judge,
SC/ST Act, Madhubani in A.B.P. No. 992 of 2024, arising out of
SC/ST Madhubani Police Station Case No. 20 of 2024
registered for the offences punishable under Sections 341, 323,



354B, 504, 379, 506 and 34 of the IPC and Sections 3(1)(r)(s) (2)(va) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

4. As per the prosecution case, the informant has alleged that the appellant along with one Bahadur Yadav started abusing the informant by taking her caste name and thereafter they both entered her courtyard and started assaulting with lathi and also with fists. It is also alleged that they even tore her *Saree* and tried to commit rape upon her.

5. Learned counsel for the appellant submits that the allegations levelled against the appellant is palpably false on account of the fact that the appellant is 80% handicapped and from the perusal of the same which has been brought on record by way of Annexure-2, it would be evident that four fingers of his left hand while all the toes of both left and the right foot have been amputated and he is literally incapable of moving. It has further been submitted that it was on account of some personal dispute with regard to the easement rights that the present case has falsely been lodged with false and frivolous allegations of abuse and assault upon the appellant. It has lastly been submitted that the appellant has no criminal antecedent.

6. Learned Spl. PP has vehemently opposed the prayer



for bail and has submitted that there is allegation upon the appellant to have assaulted the informant along with other and had even abused the informant.

7. In view of the aforesaid facts and circumstances of the case as well as taking into account the submissions advanced by the learned counsel appearing for the appellants the impugned order dated 20.06.2024 is set aside.

8. The appeal is allowed.

9. Considering the facts and circumstances of the case the appellant, above named, be released on anticipatory bail, in the event of his arrest or surrender before the learned court below within a period of four weeks from today, on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount to the satisfaction of the learned Additional Sessions Judge-Ist-cum-Special Judge, SC/ST Act, Madhubani in A.B.P. No. 992 of 2024, arising out of SC/ST Madhubani Police Station Case No. 20 of 2024 as laid down under Section 438(2) of the Cr.P.C. read with corresponding Section 482(2) of the B.N.S.S. as well as subject to the following conditions:

(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 bonds of the appellant are liable to be cancelled.

(II) The appellant shall not, in any manner, threaten, contact, or attempt to influence the informant/respondent no. 2 or any witness connected with this case.

10. It is made clear that the observation, if any, made in this order, shall be of no bearing during the trial.

(Sourendra Pandey, J)

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