

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.2765 of 2025

Arising Out of PS. Case No.-139 Year-2025 Thana- NAWADA MUFFASIL District- Nawada

1. Shailesh Yadav @ Shailesh Kumar S/o Nandlal Prasad @ Nandlal Yadav R/o Village- Saluganj, PS- Muffasil, Diatriect- Nawada
2. Rajeev Yadav @ Rajeev Kumar S/o Nandlal Prasad @ Nandlal Yadav R/o Village- Saluganj, PS- Muffasil, Diatriect- Nawada

... .. Appellant/s

Versus

1. The State of Bihar
2. Umesh Chaudhary S/o Chhotan Chaudhary R/o vill - Varma, P.s.- Mufassil, Distt.- Nawada

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr.Kumar Lalit, Advocate
For the Respondent/s	:	Mr.Sadanand Paswan, SPL. PP Mr. Birendra Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

3 20-11-2025 Heard learned counsel for the appellants 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 17.06.2025 in A.B.P. No. 1221 of 2025 passed by the learned Special Judge, Exclusive Special Court, S.C./S.T. (POA) Act, Nawada in connection with Mufassil P.S. Case No. 139 of 2025 registered for the offences punishable under Sections 126 (2), 115 (2), 329 (4), 74, 109 and 3 (5) of the BNS,



2023 as well as Sections 3 (1) (r) (s) of the SC/ST Act.

3. The case of the prosecution is that there was dispute between the son of the respondent and one Nandlal Yadav. Due to this dispute, the appellants along with others arrived at the house of the respondent at about 9:30 P.M. where they are said to have taken the respondent's daughter from the house and assaulted her with slaps and fists.

4. Learned counsel for the appellants submits that the appellants have been falsely implicated in the instant case. It is further submitted that the nature of allegation is general and omnibus in nature and are merely an outcome of the existing dispute between the son of the respondent and the appellants. So far as Harijan Atrocities Act is concerned, it has been submitted by the learned counsel for the appellants is that there is no single word in the FIR to attract the atrocities Act.

5. Learned Spl. P.P. for the State vehemently opposes the appeal.

6. In view of the submissions made by the learned counsel for the appellant, the order dated 17.06.2025 in A.B.P. No. 1221 of 2025 passed by the learned Special Judge, Exclusive Special Court, S.C./S.T. (POA) Act, Nawada in connection with Muffasil P.S. Case No. 139 of 2025 is hereby



set aside and the appellants above-named, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Muffasil P.S. Case No. 139 of 2025, subject to the conditions as laid down under Section 482 (2) of the BNSS.

6. Accordingly the appeal stands allowed.

(Ashok Kumar Pandey, J)

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