

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.3507 of 2024

Arising Out of PS. Case No.-215 Year-2023 Thana- RASULPUR District- Saran

1. Satan Yadav SON OF LATE BAHADUR YADAV VILL - NIRMAL NAGAI, P.O.- CHAINPUR, P.S. - SISWAN (CHAINPUR O.P.), DIST - SIWAN
2. NARAYAN YADAV @ NARAYAN RAY @ RAM NARAYAN RAY SON OF LATE JANGI YADAV VILL - NIRMAL NAGAI, P.O.- CHAINPUR, P.S. - SISWAN (CHAINPUR O.P.), DIST - SIWAN
3. RITIK YADAV @ RITIK KUMAR YADAV SON OF UMLESH YADAV VILL - NIRMAL NAGAI, P.O.- CHAINPUR, P.S. - SISWAN (CHAINPUR O.P.), DIST - SIWAN
4. BRAJESH YADAV @ BIJESH KUMAR YADAV SON OF BUTAN YADAV VILL - NIRMAL NAGAI, P.O.- CHAINPUR, P.S. - SISWAN (CHAINPUR O.P.), DIST - SIWAN
5. BALENDAR YADAV @ BALENDRA KUMAR YADAV SON OF PARMESHWAR YADAV VILL - NIRMAL NAGAI, P.O.- CHAINPUR, P.S. - SISWAN (CHAINPUR O.P.), DIST - SIWAN

... .. Appellant/s

Versus

1. The State of Bihar
2. RINA DEVI WIFE OF JITENDRA SAH VILL - LAUARI, PO- BANPURA, PS- RASULUR, DIST- SARAN

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Bijay Prakash Singh, Advocate
For the Respondent/s : Mr. Sadanand Paswan, Spl. P.P.

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

3 04-11-2025 Heard learned counsel for the appellants and learned
Special Public Prosecutor for the State.

2. This appeal has been preferred against the order dated 28.06.2024 passed by the learned S.C./S.T. Exclusive Special Judge, Chapra, Saran in connection with A.B.P. No. 1976 of 2024 arising out of Rasulpur P.S. Case No. 215 of 2023, registered for the offences under Sections 34, 504, 506, 323,



447, 427, 354(B) and 379 of the Indian Penal Code and Section 3(1)(r)(s) of the S.C./S.T. (Prevention of Atrocities) Act.

3. From the F.I.R., it appears that the appellants are the family members of the girl who had eloped with the son of the informant.

4. Learned counsel for the appellants submits that the allegations made in the F.I.R. are general and omnibus in nature, and the appellants have been falsely implicated in this case. It is further submitted that no offence under the provisions of the S.C./S.T. (Prevention of Atrocities) Act is made out against the appellant. Hence, the application for anticipatory bail is maintainable. He further relies upon the judgments of the Hon'ble Supreme Court in the cases of *Kiran Vs. Rajkumar Jivraj Jain and Anr.*, reported in *2025 INSC 1067*, and *Hitesh Verma Vs. State of Uttarakhand*, reported in *(2020) 10 SCC 710*.

5. Learned counsel for the informant has opposed the prayer for bail.

6. From a perusal of the FIR, it does not appear that the alleged offence was committed against the informant on the ground that she belongs to the S.C./S.T. community.

7. In these circumstances, and considering the law laid



down by the Hon’ble Supreme Court in *Kiran Vs. Rajkumar Jivraj Jain and Anr. (supra)* and *Hitesh Verma Vs. State of Uttarakhand (supra)*, this application for anticipatory bail is held to be maintainable.

8. Considering the rival submissions of the parties, this appeal is allowed, and accordingly, the order dated 28.06.2024 passed by the learned S.C./S.T. Exclusive Special Judge, Chapra, Saran in connection with A.B.P. No. 1976 of 2024 arising out of Rasulpur P.S. Case No. 215 of 2023 is set aside.

9. Let the appellants, in the event of their arrest or surrender within four weeks from today, be released on 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 S.C./S.T. Exclusive Special Judge, Chapra, Saran/ concerned Court below in connection with Rasulpur P.S. Case No. 215 of 2023, subject to the conditions laid down under Section 438(2) of the Code of Criminal/ Section 482(2) of the B.N.S.S.

(Sandeep Kumar, J)

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