

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.3620 of 2024

Arising Out of PS. Case No.-31 Year-2024 Thana- SC/ST District- Jehanabad

UDAY YADAV S/O RAM BRIKSH YADAV R/O VILLAGE- PAKHANPUR
@ PATIBIGHA, P.S- KAKO IN THE DISTRICT OF JEHANABAD.

... .. Appellant/s

Versus

1. THE STATE OF BIHAR
2. BHUSHAN PASWAN S/O NATHUN PASWAN R/O VILLAGE- NONHI
GARH, P.S- KAKO IN THE DISTRICT OF JEHANABAD.

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr. Sunil Kumar, Advocate
For the Respondent/s	:	Mr. Rabindra Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

4 25-11-2025 1. Heard learned counsel for the appellant, learned APP
for the State and 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 03.07.2024
in A.B.P. No. 891 of 2024 passed by the learned 1st Additional
Sessions Judge-cum-Special Judge SC/ST Act, Jehanabad in
connection with Jehanabad SC/ST P.S. Case No. 31 of 2024
registered under Sections 341, 323, 504 and 506 of the Indian
Penal Code as well as Sections 3(1)(r), 3(1)(s) and 3(2)(va) of the
SC/ST Act.

3. Learned counsel for the appellant submits that



appellant has antecedent of one case and the informant alleges that two years back, he had taken loan of Rs.46,000/- from the appellant on the occasion of marriage of his daughter and thereafter a Panchayati was held in September, 2023 and it was agreed that informant shall pay an interest of Rs.2 lakhs on the loan amount, accordingly, the informant repaid Rs.1,65,000/- in three installments and Rs.30,000/- was credited in the account of the appellant by his son but the appellant abused him by taking caste name in a drunken state for rest of the amount.

4. Learned counsel for the appellant submits that appellant has been falsely implicated in the instant case by the informant. It is further submitted that from perusal of the allegation as alleged in the FIR, it would manifest that informant specifically alleges that he had taken a loan of Rs.46,000/- from the appellant at the time of marriage of his daughter. It is next submitted that a false allegation has been alleged that a Panchayati was convened and Rs.2 lakhs was added by way of interest in the loan amount. It is also submitted that son of the informant credited an amount of Rs.30,000/- in the account of the appellant and when the appellant demanded his rest amount a false case came to be instituted. It is further submitted that even presuming what has been alleged is true without admitting then the dispute is purely civil to which a criminal colour has been given and allegation of



abuse is general and omnibus in nature. It is next submitted that informant alleges that appellant in a drunken condition abused him but then the FIR has not been instituted under the Excise Act.

5. Learned APP and the informant opposed the prayer for anticipatory bail.

6. Considering the aforesaid facts, let the appellant, above named, in the event of his arrest or surrender before the learned Trial Court within a period of six weeks from the date of receipt of the order, be released on anticipatory bail on furnishing bail bonds of Rs.5,000/- (rupees five thousand) with two sureties of the like amount each to the satisfaction of the learned Trial Court where the case is pending in connection with the aforesaid case, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

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

(Satyavrat Verma, J)

Kundan/-

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

