

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL APPEAL (SJ) No.3772 of 2024**

Arising Out of PS. Case No.-213 Year-2023 Thana- DAUDPUR District- Saran

Kamlesh Yadav @ Kamleshar Yadav Son of Late Shiv Parshan Yadav @ Late  
Siprashan Yadav Resident of village - Sarkhelpar Jamanpura, Police Station -  
Daudpur, District - Saran

... .. Appellant/s

Versus

1. The State of Bihar
2. Sushil Ram Son of Lalan Ram Resident of village - Ariyanw, P.S.- Daudpur,  
District - Saran

... .. Respondent/s

**Appearance :**

|                     |   |                                       |
|---------------------|---|---------------------------------------|
| For the Appellant/s | : | Mr. Lakshmindra Kumar Yadav, Advocate |
| For the State       | : | Mr. Sadanand Paswan, Spl. P.P.        |
| For the Informant   | : | Ms. Sushma Singh, Advocate            |

**CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR**  
**ORAL ORDER**

6      11-11-2025                      Heard learned counsel for the appellant, learned  
  
Special Public Prosecutor for the State learned counsel for the  
  
informant.

2. This appeal has been preferred against the order  
dated 24.11.2023 passed by the learned S.C./S.T. Exclusive  
Special Judge, Chapra, Saran in connection with A.B.P. No.  
3958 of 2023 arising out of Daudpur P.S. Case No. 213 of 2023,  
registered for the offences under Sections 341, 323, 504, 379,  
506 and 34 of the Indian Penal Code and Sections 3(i)(r)(s) and  
3(2)(va) of the S.C./S.T. (Prevention of Atrocities) Act.

3. As per the prosecution case, the appellant and other  
accused persons assaulted and abused the informant by taking



his caste name.

4. Learned counsel for the appellant submits that the allegations made in the F.I.R. are general and omnibus in nature, and the appellant has 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 vehemently 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 he 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 24.11.2023 passed by the learned S.C./S.T. Exclusive Special Judge, Chapra, Saran in connection with A.B.P. No. 3958 of 2023 arising out of Daudpur P.S. Case No. 213 of 2023 is set aside.

9. Let the appellant, in the event of his 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 Court of S.C./S.T., Exclusive Special Judge, Chapra, Saran/ concerned Court below in connection with Daudpur P.S. Case No. 213 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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