

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.3282 of 2025

Arising Out of PS. Case No.-78 Year-2025 Thana- PAUTHU District- Aurangabad

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1. Mantu Yadav @ Mantu Kumar S/O Deolagan Yadav R/O Village- Sonbarsha, P.S- Pauthu, Distt.- Aurangabad.
 2. Permanand Yadav @ Parma Kumar @ Parma Yadav S/O Late Satyendra Yadav R/O Village- Sonbarsha, P.S- Pauthu, Distt.- Aurangabad.
 3. Jeepee Kumar S/O Mahendra Yadav R/O Village- Sonbarsha, P.S- Pauthu, District- Aurangabad.

... .. Appellant/s

Versus

1. The State of Bihar
2. Ankit Kumar Shri Naresh Ram Village Jhinguri PS Pauthu District Aurangabad
2. Ankit Kumar S/O Shri Naresh Ram R/O Village- Jhinguri, P.S- Pauthu, Distt.- Aurangabad.

... .. Respondent/s

Appearance :

For the Appellant/s	:	Ms. Sneha Shruti, Advocate
For the State	:	Mr. Binay Krishna, Special P.P.
For Respondent No.2	:	Mr. Sonu Kumar Choudhari, Advocate

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

4 28-11-2025 Heard learned counsel for the appellants, learned Special P.P. 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 22.07.2025, passed by learned District & Additional Sessions Judge-1st-cum-Special Judge (SC/ST, NDPS and



Children Act), Aurangabad in connection with Pauthu P.S. Case No.78 of 2025, registered under Sections 109(1), 352, 351(2), 191(2), 191(3), 190, 126(2), 115(2), 118(1) and 117(2) of B.N.S., 2023 as well as Sections 3(1)(r)(s) and 3(2)(va) of the SC/ST Act.

3. The learned counsel appearing on behalf of the appellants submits that appellants no.1 and 3 are persons with clean antecedent and appellant no.2 has antecedent of one case. It is next submitted that the informant alleges that on 19.06.2025 while he was at his Kirana shop, 10 accused persons including the appellants came and started demanding extortion. On protest, it is alleged that the accused persons started assaulting him by rod, further is father on seeing that informant was being assaulted came to save him when Mantu Yadav put a rope around his neck and started taking him towards the river when some persons came to save him but the accused assaulted them also. It is next alleged that accused Parma Yadav caught his father and Dhirendra Kumar assaulted him causing injury on head. On alarm, the shopkeepers gathered and the injured were taken to the hospital.

4. Learned counsel for the appellants submits that appellants have been falsely implicated in the instant case by the



informant. It is next submitted that from perusal of the allegations, as alleged in the FIR, it would manifest that the date of occurrence is 19.06.2025 and the FIR came to be instituted on 21.06.2025, i.e., after a delay of two days. Had the occurrence in the manner, as alleged, taken place, in that event, the hospital would have informed the police that injured have been admitted in the hospital but then it is submitted that from perusal of the allegations, it manifests that after the injured got treated, they came and instituted the instant case. It is also submitted that the allegation of assault is general and omnibus in nature. It is further submitted that even presuming what has been alleged is true without admitting then specific allegation of assault is against Dhirendra Kumar who is not appellant in the instant appeal. Further, from the side of the appellants, Pauthu P.S. Case No.79 of 2025 has been instituted against the informant and his side. It is next submitted that though it is alleged that shopkeepers gathered and the informant and his father were saved but then names of the shopkeepers are not disclosed in the FIR which amply demonstrates that no such occurrence, as alleged, ever took place.

5. The learned Special P.P. and the learned counsel appearing on behalf of the informant oppose the appeal but then



are not in a position to rebut the submissions of the learned counsel appearing on behalf of the appellants that the FIR was instituted after a delay of two days.

6. Considering the submissions made by learned counsel for the appellants, let appellants, above named, in the event of their 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) each with two sureties of the like amount each to the satisfaction of the learned Trial Court where the case is pending in connection with Pauthu P.S. Case No.78 of 2025, subject to the conditions as laid down under Section 482(2) of the B.N.S.S.

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

(Satyavrat Verma, J)

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