

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.3354 of 2025

Arising Out of PS. Case No.-176 Year-2025 Thana- BAGHA District- West Champaran

Shravan Yadav @ Shravan Kumar Yadav S/o Sri Suraj Yadav @ Surya Yadav
Resident of village - Chhatraul, Chakhi Rajwatiya, P.s.- Bagaha, Distt.- West
Champaran

... .. Appellant/s

Versus

1. The State of Bihar Bihar
2. Dwarika Ram S/o Late Kanchan Ram R/o vill - Banchahari, P.s.- Bagaha,
Distt.- West Champaran

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr.Sharad Kumar Verma
For the Respondent/s	:	Mr.Binay Krishna

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

3 27-11-2025 Heard learned counsel for the appellant and learned
Special Public Prosecutor 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 against the rejection of prayer for bail vide order dated 22.07.2025 passed by the learned 1st Additional Sessions Judge Cum Special Judge, SC/ST (POA) Act, West Champaran, Bettiah in B.P. No. 2400 of 2025 arising out of Bagaha P.S. Case No. 176 of 2025 dated 26.06.2025 registered for the offence/s punishable u/ss 103, 61(2) read with section 3(5) of the BNS and sections 3(2) (v) of the SC/ST (POA) Act.

3. As per the prosecution case, on 25/06/2025 at about



9:00 am., the informant's daughter Munni Kumari was taken to the Sub-Divisional Hospital Bagaha by the informant's family members after she suffered from labor pain, where after medical examination, her daughter was found to be suffering from anemia and she was referred to District Hospital Bettiah. While leaving the hospital to go to Bettiah, the co-accused Gangajali Devi coaxed her relative to visit Dr. Manoj Kumar Yadav at a low cost and sent them for operation. Manoj Kumar Yadav, Shravan Yadav (petitioner), Manju Devi and their five other associates hurriedly operated her daughter Munni Kumari, which led to the death of the informant's daughter and her baby. When the family of the informant protested after the death of the daughter, Dr. Manoj Kumar Yadav, Shravan Yadav, Manju Devi and other associates started abusing, pushing by using caste name and threatened them to make the body of the daughter disappear.

4. Learned counsel for the appellant has submitted that the appellant has falsely been implicated in this case due to ulterior motive. Learned counsel has further submitted that the caste name was not disclosed by anyone at the time of the alleged occurrence. As per FIR, no member of public was present at the relevant point of time of the alleged incident



hence no case is made out under section SC/ST Act. The petitioner is the brother of the co-accused Manoj Yadav. There is no specific allegation against the petitioner of performing the operation on the informant's daughter. The appellant has one criminal antecedent as stated in para 3 of the bail petition. The appellant is in custody since 27.06.2025.

5. Learned Spl. P.P. for the State has vehemently opposed the bail petition of the appellant.

6. In view of the aforesaid facts and circumstances of the case as well as finding substance in the contention of the learned counsel for the appellant, the impugned order dated 22.07.2025 passed by the learned 1st Additional Sessions Judge Cum Special Judge, SC/ST (POA) Act, West Champaran, Bettiah in B.P. No. 2400 of 2025 arising out of Bagaha P.S. Case No. 176 of 2025, is set aside against the appellant. The criminal appeal is allowed.

7. Accordingly, the above named appellant, is directed to be enlarged on bail on furnishing bail-bond of Rs. 20,000/- (Rupees twenty thousand) with two sureties of the like amount each to the satisfaction of the learned learned 1st Additional Sessions Judge Cum Special Judge, SC/ST (POA) Act, West Champaran, Bettiah in B.P. No. 2400 of 2025 arising out of



Bagaha P.S. Case No. 176 of 2025, with the condition/s:-

(i) The appellant is directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bonds of the appellants are liable to be cancelled.

(Chandra Prakash Singh, J)

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