

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.4391 of 2024

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

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YOGENDRA YADAV SON OF LATE PRITHVICHANDRA YADAV R/O
Village- Chothampur Ward no. - 13 , Bero , PS - Supaul, District- Supaul

... .. Appellant/s

Versus

1. THE STATE OF BIHAR
2. RANJEETA DEVI WIFE OF OM PRAKASH SHARMA R/O Village-
Chothampur Ward no. - 13 , Bero , PS - Supaul, District- Supaul, PIN-
852123

... .. Respondent/s

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Appearance :

For the Appellant/s	:	Mr. Shiva Shankar Sharma
For the Respondent/s	:	Mr. Sadanand Paswan

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL JUDGMENT

Date : 13-11-2025

Heard learned counsel for the appellant and
learned Special PP for the State.

2. The present appeal has been preferred by the appellant under Section 14(A)(2) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 against the refusal of prayer for anticipatory bail by order dated 22.08.2024 passed by learned Additional Sessions Judge-1-cum-Special Judge, SC/ST, Supaul in connection with SC/ST P.S. Case No. 56 of 2024 in which cognizance has been taken against the appellant under Sections 341, 323, 354, 379, 504, 506/34 of the Indian Penal Code and section 3(1)(r)(s) of the



S.C. & S.T. (Prevention of Atrocities) Act, 1989.

3. As per prosecution case, when the informant along with her sister-in-law went to her land, for taking a look at the *moong* crop, the appellant and others co-accused persons who were already present there abused and assaulted them. The appellant taking caste name of the informant instigated others and the assailants tore the sari and blouse of the informant and assaulted them with slaps and fists. The assailants claimed that it was their land and if anybody objected, he would be killed.

4. Learned counsel for the appellant submit that the appellant is innocent and has falsely been implicated in this case. Land dispute is admitted from the F.I.R. itself. The appellant is aged about 65 years having no criminal antecedent and the present case has been filed against him to put pressure upon him to make compromise in Title Suit No. 30/2015 which has been filed by the father-in-law of the informant against the appellant and others. The appellant has filed a case for demarcation and a report came in which it has been shown that the informant has encroached upon the land of the petitioner. The Police has investigated the matter and found the case true under section 349, 379, 504 and 506 of the I.P.C. read with section 3(1)(r)(s) of the SC/ST (Prevention of Atrocities) Act



which shows the allegation for offence under section 379 IPC has been falsely made and it renders other allegations also false and concocted. Learned counsel further submits that there was no intention to humiliate the informant and her sister-in-law in public view to commit offence under the provisions of SC/ST (Prevention of Atrocities) Act and the ingredient for the same is missing in the present case.

5. Learned Special P.P. opposes the submission and submits allegation against the appellant is that he took caste name of the informant and instigated others for committing offence against her.

6. Having regard to the facts and circumstances of the case and submissions made on behalf of the parties and considering the background of land dispute and further considering the possibility of false implication under the provision of SC/ST (Prevention of Atrocities) Act and further considering clean antecedent of the appellant, let the appellant above named, in the event of his arrest or surrender before the court concerned within a period of eight weeks from today, be released on bail, on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand Only) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-1-cum-



Special Judge, SC/ST, Supaul, in connection with SC/ST P.S.
Case No. 31 of 2024, subject to the condition laid down under
Section 438 (2) of Cr.P.C. and other following conditions:

- (i) One of the bailors will be a close relative of the appellant.
- (ii) The appellant will remain present on each and every date fixed by the court below.

7. In terms of above, the impugned order dated 22.08.2024 is set aside and the appeal is allowed.

(Arun Kumar Jha, J)

Ranjeet/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	17.11.2025
Transmission Date	17.11.2025

