

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.3892 of 2025

Arising Out of PS. Case No.-806 Year-2024 Thana- WAJIRGANJ District- Gaya

Tabo Yadav @ Umesh Yadav @ Umesh Prasad Son of Ramu Yadav Resident
of village - Ameithi, P.S.- Wazirganj, District - Gaya.

... .. Appellant/s

Versus

1. The State of Bihar
2. Kanchan Devi Wife of Rajesh Chaudhary Resident of village - Ameithi, P.S.-
Wazirganj, District - Gaya.

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mrs. Rabia Gulnaz, Advocate
For the Respondent/s	:	Mr. Binay Krishna, SPP
For the Informant	:	Mr. Sanjay Kumar, Advocate
		Mrs. Dimpal Kumari, Advocate

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

3 13-11-2025 Heard learned counsel for the appellant, learned
Special Public Prosecutor for the State, learned counsel for the
informant/Respondent No. 2 and perused the case diary.

2. The instant appeal has been filed by the appellant
against the order dated 19.08.2025 passed by learned Exclusive
Special Judge SC/ST, Gaya whereby the prayer for bail of the
appellant in connection with Wazirganj P.S. Case No. 806 of
2024 under Sections 126, 115(2), 117(2), 118, 109, 103(1), 352,
351(2), 3(5) of the Bharatiya Nyaya Sanhita, 2023, read with
Section 27 of the Arms Act, Sections 3(i)(r)(s) and 3(2)(v) of
SC/ST Act was added later on which has been rejected.



3. Prosecution case, in short, is that the appellant along with other co-accused persons have forcefully entered the house of informant, assaulted her husband and used caste based slurs. Husband of the informant died in course of his treatment.

4. Learned counsel for the appellant submits that the appellant is innocent and has falsely been implicated in the present case. Charge-sheet has been submitted in this case. Learned counsel for the appellant also submits that there is delay of 18 days in lodging the FIR without any plausible explanation. No specific allegation has been attributed against the appellant rather the same is general and omnibus in nature. It is next submitted that there is no any eye witness of the said occurrence. Learned counsel for the appellant further submits that the appellant has not taken the caste name of the informant in public view. Hence, no offence under the provisions of SC/ST Act is made out against him. The appellant has no intention to disgrace the image of the informant in public view. The appellant is in custody since 13.05.2025 and has got one criminal antecedent in which he is on bail.

5. Learned Special P.P. for the State and the informant have vehemently opposed the prayer for grant of bail to the appellant and submits that there is direct and specific allegation



levelled against the appellant. It is further submitted that the injuries transpired in the post-mortem report of the deceased shows serious multiple injuries due to which informant's husband died during the treatment. Hence, the appellant does not deserve the privilege of bail.

6. Considering the aforesaid facts and circumstances of the case, specific allegation as also nature and gravity of the offence, this Court is not inclined to grant bail to the appellant at this juncture.

7. Accordingly, the appeal stands dismissed. The trial Court is directed to expedite the trial expeditiously.

(Rudra Prakash Mishra, J)

Rajorshi/-

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