

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.5002 of 2024

Arising Out of PS. Case No.-25 Year-2024 Thana- GORADIH District- Bhagalpur

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Bajrangi Yadav S/o- Uday yadav @ Udho Yadav Village- Koyla, thana Jagdispur, District-Bhagalpur

... .. Appellant/s

Versus

1. The State of Bihar
2. Kavita Devi D/o- Harihar Paswan Village- Sarath Po- Puraini Hat Ps- Goradih Dist-Bhagalpur

... .. Respondent/s

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Appearance :

For the Appellant/s : Mr. Ranjan Kumar Jha, Advocate
For the State : Mr. Usha Kumari 1, Spl. P.P.

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CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

3 10-11-2025 Heard learned counsel for the appellant and learned
Special Public Prosecutor for the State.

2. This appeal has been preferred against the order dated 10.07.2024 passed by the learned Additional District and Sessions Judge-III-cum-Special Judge, (S.C./S.T.) Act, Bhagalpur in connection with A.B.P. No. 1334 of 2024 arising out of Goradih P.S. Case No. 25 of 2024, registered for the offences under Sections 147, 148, 149, 341, 323, 307, 325, 354(B), 447 and 506 of the Indian Penal Code and Section 3(i) (r)(s) of the S.C./S.T. (Prevention of Atrocities) Act.

3. As per the prosecution case, the occurrence took place on account of plucking of mango leaves for use in a



marriage ceremony, during which all the accused persons, including the appellant, allegedly started abusing and assaulting the informant and others.

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 the present occurrence took place on account of a trivial dispute. It is also 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 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 10.07.2024 passed by the learned Additional District and Sessions Judge-III-cum-Special Judge, (S.C./S.T.) Act, Bhagalpur in connection with A.B.P. No. 1334 of 2024 arising out of Goradih P.S. Case No. 25 of 2024 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 Additional District and Sessions Judge-III-Cum-Special Judge, S.C./S.T. Act, Bhagalpur/ concerned Court below in connection with Goradih P.S. Case No. 25 of 2024, 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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