

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.5656 of 2024

Arising Out of PS. Case No.-14 Year-2024 Thana- SC/ST District- Jamui

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1. Chandu Yadav Son of Manghar Yadav Resident of Village- Bhullo, P.S. - Lachhuar, District - Jamui
 2. Binod Kumar @ Binod Yadav Son of Chandu Yadav Resident of Village- Bhullo, P.S. - Lachhuar, District - Jamui

... .. Appellant/s

Versus

1. The State of Bihar
2. Sabita Devi Wife of Hira Chaudhary Resident of Village- Nawabganj, P.S. - Lachhuar, District - Jamui

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr. Madhumay Madhup, Advocate
For the Respondent/s	:	Mr. Usha Kumari 1, Spl. P.P.
For the Res. No.2	:	Ms. Ankita Kumari, Advocate

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

4 13-11-2025 Heard learned counsel for the appellants, learned Spl. 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 25.10.2024 in A.B.P. No. 1732 of 2024 passed by the learned Additional Sessions Judge, 1 at Jamui in connection with Jamui SC/ST P.S. Case No. 14 of 2024 registered for the offences punishable under Sections 126(2), 115(2), 303(2), 351,



352 and 3(5) as well as Sections 3(1)(r), 3(1)(s) and 3(2)(va) of the SC/ST Act.

3. Learned counsel for the appellants submits that the appellants are persons with clean antecedent and the informant alleges that on 25.08.2024 at 05:00 P.M. while she was going for completing the rituals when she was intercepted by Chandu and Vinod, who abused her by taking caste name, and also tried to snatch her jewellery, when she raised an alarm, she was assaulted by *lathi* and *danda* and the accused snatched her mangalsutra and when her son came he was also assaulted by the accused persons by *lathi* and *danda* but they somehow managed to save their life.

4. Learned counsel for the appellants submits that the appellants have been falsely implicated in the instant case, by the informant on account of dispute relating to land. It is next submitted that from perusal of the allegation as alleged in the FIR, it would manifest that the same does not assign any motive for the occurrence. It is further submitted that no occurrence as alleged ever took place. It is also submitted that the date of occurrence is 25.08.2024 and the FIR came to be instituted on 27.08.2024 i.e. after a delay of two days without any plausible explanation which also cast an aspersion on the case of the



prosecution. It is submitted that FIR does not even remotely suggest that the occurrence was witnessed by any independent witnesses.

5. Learned Spl. P.P. for the State and the learned counsel appearing on behalf of the informant oppose the prayer for anticipatory bail of the appellants.

6. Considering the aforesaid facts, let the appellants above-named, in the event of their arrest or surrender before the learned trial court within a period of six weeks from today, 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/successor court in connection with the aforesaid case, subject to the conditions as laid down under Section 482 (2) of the BNSS.

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

(Satyavrat Verma, J)

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