

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.410 of 2025**

Arising Out of PS. Case No.-137 Year-2023 Thana- RAJAOLI District- Nawada

Rahul Kumar S/o- Sadhu Yadav Resident Of Village- Beladih Ps- Rajauli District-Nawada

... .. Appellant/s

Versus

1. The State of Bihar
2. Ritik Kumar S/o- Upendra Rajbanshi Resident Of Village- Beladih Ps- Rajauli District-Nawada

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Sheo Kumar Prasad
For the Respondent/s : Ms.Usha Kumari 1

**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER**

4 27-01-2026 1. Heard learned counsel for the appellant and the learned Special Public Prosecutor for the State.

2. The appellant has challenged the order dated 20.12.2024 passed by the learned Exclusive Special Judge SC/ST, Nawada in connection with ABP No.3187 of 2024 arising out of Rajauli P. S. Case No.137 of 2023, instituted for the offences under Sections 143, 147, 149, 341, 323, 354A, 354B, 307, 504, 506 of the Indian Penal Code, Section 27 of the Arms Act and Section 3(i)(r)(s), 3(2)(v) of the Scheduled Castes & Scheduled Tribes (Prevention of Atrocities) Act, whereby his prayer for grant of anticipatory bail has been rejected.

3. The learned counsel appearing on behalf of the



appellant submits that a jointness application has been filed as the notice was received by the maternal uncle of the informant.

4. In view of the grounds taken in the jointness application, the notice is deemed to be validly served despite valid service of notice, the informant chooses not to appear and contest.

5. The learned counsel for the appellant submits that appellant is a person with clean antecedent and the informant alleges that on 03.03.2023 at 6.00 P.M., he had gone to attend call of nature to Badhar where from before 16 named accused persons along with 30 unknown accused were present from before and they started acting inappropriately and said to take them along as their guardian portrayed themselves as leader. Further, on alarm, the villagers gathered when accused resorted to firing causing injury to Sonu on chest and Shibu received gunshot injury on hand. Further, the accused said that they run MCC Group.

6. The learned counsel appearing on behalf of the appellant submits that appellant is a person with clean antecedent and has been falsely implicated in the instant case by the informant. It is next submitted that from perusal of the allegation as alleged in the FIR, it would manifest that



allegation appears more political in nature. It is also submitted that no doubt, appellant is named in the FIR along with 30 unknown accused and accused are alleged to have fired causing injury to Sonu and Shibu, but then, allegation of firing is not specific rather the allegation is general and omnibus in nature. It is also submitted that Rajendra Kumar Yadav had approached this Court seeking anticipatory bail by filing Cr. Appeal (S.J.) No.2077 of 2024 and the same came to be allowed by a learned Coordinate Bench by an order dated 17.04.2025. Further, Akhilesh Kumar also approached this Court seeking anticipatory bail by filing Cr. Appeal (S.J.) No.1408 of 2025 and the same also came to be allowed by an order dated 25.07.2025 passed by a learned Coordinate Bench. The learned counsel thus submits that parity be maintained, when allegations are similar.

7. The learned Special P. P. opposes the bail application.

8. Regard being had to the aforesaid submissions, the order dated 20.12.2024 is set-aside.

9. The appeal stands allowed.

10. The appellant, above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks, is directed to be released on bail



on his furnishing bail-bonds in the sum of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Judge SC/ST, Nawada in connection with ABP No.3187 of 2024 arising out of Rajauli P. S. Case No.137 of 2023, subject to the conditions laid down under Section 482(2) of the BNSS.

(Satyavrat Verma, J)

vikash/-

U		T	
---	--	---	--

