

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.303 of 2026

Arising Out of PS. Case No.-33 Year-2023 Thana- MADHEPURA COMPALINT CASE
District- Madhepura

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Chand Kishore Yadav @ Chandra Kishore Yadav S/o Ashok Yadav R/o vill -
Lakshminia, ward no. 5, P.S.- Ghailarh, Distt.- Madhepura

... .. Appellant/s

Versus

1. The State of Bihar
2. Pinki Devi W/o Bablu Kumar, D/o Natho Sada R/o vill - Lakshminia, ward
no. 5, P.s.- Ghailarh, Distt.- Madhepura

... .. Respondent/s

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Appearance :

For the Appellant/s : Mr. Binod Kumar Sinha, Advocate
For the Respondent/s : Ms. Usha Kumari 1, Special PP

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 02-07-2026 1. Heard learned counsel for the appellant and
learned Special P.P. for the State.

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 11.11.2025 in A.B.P. No. 1300 of 2025 passed by
the learned 1st Additional Sessions Judge-cum-Special Judge
S.C./S.T. (POA) Act, Madhepura in connection with Complaint
Case No. 33 of 2023 registered for the offences punishable
under Sections 341, 323 and 504 of the Indian Penal Code as
well as Section 3(1) (r) (s) of the SC/ST Act.



3. Learned counsel for the appellant submits that from perusal of the office report dated 22.06.2026, it would manifest that the same records that ordinary notice has been validly served upon the respondent no. 2, but then respondent no. 2 despite receiving notice chooses not to appear and contest.

4. It is next submitted that appellant is a person with clean antecedent and from perusal of the allegation as alleged in the FIR, it would manifest that on account of dispute relating to land, the occurrence is alleged to have taken place and the informant alleges that the accused persons assaulted her, it is next alleged that her father-in-law was assaulted by fist on account of which he suffered redness in the eye. It is next submitted that as far as appellant is concerned, the allegation against him is general and omnibus in nature. It is also submitted that even allegation of abuse is general and omnibus in nature. It is further submitted that this perhaps explains why informant despite receiving notice chooses not to appear and contest.

5. Learned Special P.P. for the State opposes the appeal.

6. In view of the submissions made by the learned counsel for the appellant, the order dated 11.11.2025 in A.B.P.



No. 1300 of 2025, **is hereby set aside** and the appellant above-named, in the event of his arrest or surrender within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 5,000/- (Rupees Five Thousand) 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 Complaint Case No. 33 of 2023 subject to the conditions as laid down under Section 482 (2) of the BNSS.

7. Accordingly, the appeal stands allowed.

(Satyavrat Verma, J)

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