

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.339 of 2026

Arising Out of PS. Case No.-451 Year-2025 Thana- MUFFASIL District- Aurangabad

Rintu Kumar Yadav @ Rintu Kumar S/O Vijendra Yadav @ Virendra Yadav
@ Birendra Yadav R/O Village- Lal Bigha, P.S.- Mufassil, Dist.- Aurangabad.

... .. Appellant/s

Versus

1. The State of Bihar
2. Pintu Paswan S/O Kayil Paswan R/O Village- Mahavir Bigha, P.S.- Mufassil, Dist.- Aurangabad.

... .. Respondent/s

Appearance :

For the Appellant/s : Ms. Mukul Kumari, Advocate

For the Respondent/s : Mr. Binay Krishna, Special PP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 3 06-07-2026 1. Heard learned counsel for the appellant and learned Special P.P. for the State, Mr. Binay Krishna.

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 13.01.2026 in A.B.P. No. 92 of 2026 passed by the learned 1st Additional Sessions Judge-cum-Special Judge S.C./S.T., (POA) Act, NDPS & Children Act, Aurangabad in connection with Muffasil P.S. Case No. 451 of 2025 registered for the offences punishable under Sections 126(2), 115(2), 352, 351(2), 74, 109(1) and 3(5) of the BNS as well as Sections 3(1)



(r), (s) and 3(2)(va) of the SC/ST Act.

3. Learned counsel for the appellant submits that from perusal of the office report dated 18.05.2026, it would manifest that both the notices have 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 has antecedent of one case under the Excise Act and the informant alleges that on 02.12.2025, his sister and aunt at 06:00 PM had gone to attend nature's call when six named accused persons including the appellant started abusing and acted inappropriately, on alarm, the informant came when accused started abusing him, thereafter Pankaj assaulted him by an iron rod causing injury on head, thereafter Bhola assaulted his cousin brother, Lavkush by hockey stick causing injury on head, further appellant assaulted Bicky by lathi causing injury on head and also assaulted Nikky causing injury on hand.

5. Learned counsel for the appellant submits that appellant has been falsely implicated in the instant case by the informant. It is further submitted that from side of the appellant, Muffasil P.S. Case No. 452 of 2025 dated 03.12.2025 has been instituted against the informant and his side with an allegation



that the side of the informant taunted the appellant and his side on political issue which led to an altercation in which both sides assaulted each other. It is also submitted that appellant is alleged to have assaulted Bicky and Nikky, but then both of them have not suffered any injury. It is further submitted that a specific ground has been taken in the appeal that two persons suffered injury, alleged to have been assaulted by the co-accused persons. It is next submitted that Pintu and Luv Kumar suffered injury, but then it is fairly submitted that nature of injury is not known to the appellant, but then it is asserted and submitted that Vicky and Nikky did not suffer any injury and this perhaps explains why informant despite receiving notice chooses not to appear and contest.

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

7. In view of the submissions made by the learned counsel for the appellant, the order dated 13.01.2026 in A.B.P. No. 92 of 2026 **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 Muffasil P.S. Case No. 451 of 2025 subject to the conditions as laid down under Section 482 (2) of the BNSS.

8. Accordingly, the appeal stands allowed.

(Satyavrat Verma, J)

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