

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.361 of 2026

Arising Out of PS. Case No.-98 Year-2025 Thana- SONEBARSA District- Buxar

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1. Vinay Kumar @ Vinayak Kumar, S/o Janardan Singh, R/o Village- Karsar, P.S. - Sonversa, District- Buxar
 2. Purushotam Dubey @ Purushotam Kumar @ Gudu, S/o Birendra Dubey, R/o Village- Karsar, P.S. - Sonversa @ Sonbarsa, District- Buxar

... .. Appellant/s

Versus

1. The State of Bihar
2. Prabhu Kumar, S/o Dayanand Ram, R/O village- Kadsar, P.S.- Sonversa, Distt. - Buxar

... .. Respondent/s

Appearance :

For the Appellants	:	Mr. Sanjay Kumar, Advocate Mr. Rahul Nath, Advocate
For the State	:	Mr. Usha Kumari 1, Spl.P.P.
For the Resp. No.2	:	Mr. Md. Azimuddin, Advocate Mr. Sunil Kumar Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 16-04-2026 Heard learned counsel for the appellants, learned Special Public Prosecutor for the State and learned counsel for the respondent no.2.

2. The appellants have preferred this appeal against the order dated 20.12.2025 passed in A.B.P. no.1222 of 2025 by learned Additional Sessions Judge Ist –cum– Special Judge, SC/ST (PoA) Act, Buxar and for grant of anticipatory bail in connection with Sonebarsa P.S. Case no.98 of 2025 registered under sections 126(2), 115(2), 303(2), 352, 351(2) and 3(5) of the Bharatiya Nyaya Sanhita, 2023 and sections 3(1)(r)(s) and 3(2)(va) of the Scheduled Castes and Scheduled Tribes



(Prevention of Atrocities) Act, 1989.

3. As per the prosecution case, the informant states that in the night of 2.10.2025, on electricity connection being cut, 15 to 20 boys including the two appellants herein started tearing the posters of *Baba Saheb*. On protest, he was abused in the name of his caste and also assaulted with a belt. His relative Akhilesh Kumar was also assaulted. The accused were giving threats. They somehow escaped.

4. Learned counsel for the appellants submits that the appellants have been falsely implicated in the case. No such occurrence as alleged in the F.I.R. has taken place. Accepting the allegations, the nature of injury has been found to be simple in nature. The appellants have no criminal antecedent and undertake to cooperate in the investigation/trial.

5. The appeal is opposed by learned Special Public Prosecutor for the State and learned counsel for the respondent no.2. It is submitted by learned counsel appearing for the respondent no.2 that the appellants are named in the F.I.R. and there is direct allegation against them of having abused the informant in the name of his caste and of having assaulted him together with the corresponding injury having been found on his body. The allegations have been supported in the case diary by



the witnesses. It is not a case for grant of anticipatory bail.

6. Having heard learned counsel for the parties and taking into consideration the allegations in the F.I.R. together with the injuries having been opined to be simple in nature and the appellants not having any criminal antecedent, the Court is inclined to allow the instant appeal.

7. The appeal is allowed and the order dated 20.12.2025 passed in A.B.P. no.1222 of 2025 by the learned Additional Sessions Judge Ist –cum– Special Judge, SC/ST (PoA) Act, Buxar rejecting the prayer for anticipatory bail of the appellants is set aside.

8. In the facts of the case, it is directed that both the appellants above named, in the event of their arrest or surrender before the learned Court below within a period of four weeks, be released on anticipatory bail in connection with Sonebarsa P.S Case no.98 of 2025 on each of them furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge Ist–cum–Special Judge, SC/ST (PoA) Act, Buxar.

(Partha Sarthy, J)

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