

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.357 of 2026

Arising Out of PS. Case No.-88 Year-2025 Thana- SC/ST District- Gaya

Bindi Kumar Son of Mathura Yadav @ Mathur Yadav Resident of village- Mastpura, Ps- Boghdaya, dist- Gayaji

... .. Appellant/s

Versus

1. The State of Bihar
2. Sunita Devi Wife of Shri Arun Kumar Das Resident of village- Mastpura, Ps- Boghdaya, dist- Gayaji

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr. Ajay Kumar Sinha, Advocate
For the Respondent/s	:	Mr. Sadanand Paswan, Special PP
For the Informant	:	Mr. Vishwa Ranjan Choudhary, Advocate

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 06-07-2026 1. Heard learned counsel for the appellant, learned Special P.P. for the State and the 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 07.01.2026 in A.B.P. Excl. Spl. SC/ST 336 of 2025 passed by the learned Exclusive Special Judge S.C./S.T. (POA) Act, Gaya Ji in connection with SC/ST P.S. Case No. 88 of 2025 registered for the offences punishable under Sections 191(2), 126(2), 115(2), 74, 303(2) and 351(2) of the BNS, 2023 as well



as Sections 3(i)(r)(s)(w) and 3(2)(va) of the SC/ST Act.

3. Learned counsel for the appellant submits that appellant is a person with clean antecedent and the informant alleges that on 26.08.2024 at 09:30 PM, seven named accused persons including the appellant came to her house and started abusing, thereafter, Raja, Bindi and Jitendra assaulted her husband, son and daughter and tore cloths of her daughter and Raja took away jewellery worth Rs. 50,000/-, on alarm people gathered and accused left threatening.

4. Learned counsel for the appellant submits that appellant 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 entire occurrence took place at the house of the informant, as such, was not in public view and even allegation of abuse and assault is general and omnibus in nature. It is next submitted that it does not appear probable that all accused in one go would have abused the informant by taking caste name. It is also submitted that the date of occurrence is 26.08.2024, thereafter, after a delay of more than a month, complaint case came to be filed on 07.10.2024, based on which the instant FIR was instituted on 25.11.2024 which casts an aspersion on the case of the



prosecution.

5. Learned Special P.P. for the State as well as the learned counsel appearing on behalf of the informant opposes the appeal.

6. In view of the submissions made by the learned counsel for the appellant, the order dated 07.01.2026 passed by the learned Exclusive Special Judge S.C./S.T. (POA) Act, Gaya Ji 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 SC/ST P.S. Case No. 88 of 2025 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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