

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL APPEAL (SJ) No.485 of 2026**

Arising Out of PS. Case No.-67 Year-2024 Thana- INDRAPURI District- Rohtas

Guddu Yadav @ Bimal Prakash S/O Kailash Yadav R/O Village - Patanwa  
Khurd, P.S.- Indrapuri, District- Rohtas

... .. Appellant/s

Versus

1. The State of Bihar
2. Madhu Rani Kuer @ Lukhani Devi W/O Late Kedar Bhuiya R/O Village -  
Patanwa Khurd, P.S.- Indrapuri, District- Rohtas

... .. Respondent/s

**Appearance :**

For the Appellant/s : Mr. Ajay Kumar Tiwari  
For the Respondent/s : Ms. Usha Kumari 1

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

3      20-07-2026                      1. Heard learned counsel for the appellant, learned  
Special Public Prosecutor for the State, Ms. Usha Kumar No. 1  
and learned counsel appearing on behalf of the informant.

2. In view of the grounds taken in the limitation  
application delay of 4 days in filing the appeal is condoned, as  
such I.A. No. 01 of 2026 is allowed.

3. 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 18.09.2025 passed by the learned -Special Judge,  
SC/ST (POA) Act, Rohtas at Sasaram in connection with



Indrapuri P.S. Case No. 67 of 2024 registered under Sections 126(2), 74, 76 and 151(2) of the BNS as well as Sections 3(i)(r) (s) and 3(2)(va) of the SC/ST Act.

4. Learned counsel appearing on behalf of the appellant submits that appellant has been falsely implicated in the instant case by the informant, it is next submitted that informant alleges that on 17.11.2024 at 10:00 a.m. the appellant in drunken condition entered her hut and tried to rape her daughter-in-law and torn her blouse and saree but people gathered and the appellant fled.

5. Learned counsel appearing on behalf of the appellant submits that from side of the appellant Indrapuri P.S. Case No. 65 of 2024 was instituted by the brother of the appellant alleging that his brother (appellant herein) on 17.11.2024 had gone to his field, further he went to the village of the instant informant looking for labour but an altercation took place between his brother and Sarpanch Bhuiya and his brother was brutally assaulted by axe on account of which he became unconscious, thereafter he was admitted in hospital and was referred to Banaras Trauma Centre where treatment is going on as such the FIR came to be instituted after some delay on 20.11.2024.



6. Learned counsel appearing on behalf of the appellant next submits that brother of the instant appellant on 20.11.2024 instituted Indrapuri P.S. Case No. 65 of 2024 with the aforesaid allegation and thereafter the instant FIR came to be instituted by the informant on 22.11.2024 by way of a counter-blast to Indrapuri P.S. Case No. 65 of 2024, it is next submitted that since appellant was assaulted brutally by Sarpanch Bhuiya as such the informant who is mother of Sarpanch Bhuiya instituted the instant FIR, it is next submitted that had appellant tried to commit rape of the daughter-in-law of the informant on 17.11.2024 then what prevented the informant from instituting an FIR instantly, but then the instant case came to be instituted only after brother of the appellant instituted the aforesaid Indrapuri P.S. Case No. 65 of 2024. It is next submitted that police in a mechanical manner investigated the case and submitted charge-sheet based on which cognizance has been taken. It is next submitted that this amply demonstrates that the learned Trial Court even does not verify that as to what transpired during the course of investigation, it is further submitted that appellant was discharged by Banaras Trauma Centre after 8 to 10 days of treatment.

7. Learned Special Public Prosecutor for the State and



learned counsel appearing on behalf of the informant are not in a position to rebut the said submissions of the learned counsel appearing on behalf of the appellant that brother of the appellant instituted Indrapuri P.S. Case No. 65 of 2024 dated 20.11.2024 and thereafter the informant's FIR came to be instituted hence the instant FIR is a counter-blast but then the learned counsel appearing on behalf of the appellant submits that charge-sheet has been submitted.

8. After hearing the learned counsel for the parties, the Court was inclined to extend the privilege of anticipatory bail to the appellant but since cognizance has been taken, as such, the appeal is disposed of with a direction to the appellant to appear before the learned trial court on 06.08.2026. It is made clear that if the appellant appears before the learned Trial Court on 06.08.2026, the learned trial court shall consider and dispose of the case on the same day keeping in mind the observations of this Court as recorded hereinabove.

**(Satyavrat Verma, J)**

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