

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.501 of 2026

Arising Out of PS. Case No.-127 Year-2025 Thana- FULKAHA District- Araria

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1. Yugesh Yadav S/o Late Ganesh Lal Yadav Resident of village - Manikpur, Ward No. 12, Police Station - Fulkaha, District - Araria
 2. Khudiya Yadav @ Pramod Yadav S/o Upen Yadav Resident of village - Manikpur, Ward No. 12, Police Station - Fulkaha, District - Araria
 3. Anmol Yadav S/o Bechan Yadav Resident of village - Manikpur, Ward No. 12, Police Station - Fulkaha, District - Araria
 4. Bhupen Yadav S/o Bechan Yadav Resident of village - Manikpur, Ward No. 12, Police Station - Fulkaha, District - Araria

... .. Appellant/s

Versus

1. The State of Bihar
2. Bhupdeo Rajak S/o Late Surya Narayan Rajak Resident of village - Manikpur, Ward No. 15, Police Station - Fulkaha, District - Araria

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Arun
For the Respondent/s : Mr. Binay Krishna

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 3 27-04-2026 1. Heard learned counsel for the appellants and learned Spl. 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 16.12.2025 in A.B.P. No. 2113 of 2025 and 2114 of 2025 passed by the learned 1st Additional Sessions Judge-cum-Special Judge, Araria in connection with Fulkaha P.S. Case No.



127 of 2025 registered for the offences punishable under Sections 126(2), 115(2), 308(2), 352 and 3(5) of the BNS, 2023 as well as Sections 3(i)(r) and 3(i)(s) of the SC/ST Act.

3. Learned counsel for the appellants, at the outset, submits that the instant appeal was tagged with Criminal Appeal No. 471 of 2021 (Rajeev Yadav @ Rajiv Yadav Vs. The State of Bihar) in which the informant despite receiving notice chose not to appear and contest.

4. Since informant in Criminal Appeal (SJ) No. 471 of 2026 despite receiving notice did not appear to contest, as such, no useful purpose would be served by issuing notice in the instant appeal.

5. Learned counsel for the appellants submits that appellant no. 1, 2 and 4 are persons with clean antecedent and appellant no. 3 has antecedent of one case and the informant alleges that cattles of accused persons were grazing in his field, on objection accused persons abused by taking caste name and assaulted and Rajeev tried to strangulate by a towel while Yugesh abused by caste name and threatened.

6. It is next submitted that from perusal of the allegation as alleged in the FIR, it would manifest that allegation of abuse is general and omnibus in nature. It is also



submitted that land dispute in between the parties is brewing and Rajeev Yadav has been granted the privilege of anticipatory bail by an order dated 27.04.2026 in Criminal Appeal (SJ) No. 471 of 2026. It is also submitted that if privilege of anticipatory bail is granted to the appellants, the appellants will not abscond rather will cooperate in the investigation to prove their innocence.

7. Learned Spl. P.P. for the State opposes the appeal.

8. In view of the submissions made by the learned counsel for the appellants, the order dated 16.12.2025 in A.B.P. No. 2113 of 2025 and 2114 of 2025 passed by the learned 1st Additional Sessions Judge-cum-Special Judge, Araria in connection with Fulkaha P.S. Case No. 127 of 2025, **is hereby set aside**, and the appellants above-named, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 5,000/- (Rupees Five Thousand) each 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 Fulkaha P.S. Case No. 127 of 2025 subject to the conditions as laid down under Section 482 (2) of



the BNSS.

9. However, it is made clear that in the event if the Investigating Officer of the case files an application before the learned Trial Court bringing to its notice that appellants despite giving assurance to this Court are not co-operating in the investigation, in that event the learned Trial Court shall be at liberty to cancel the bail bonds of the appellants.

10. **Accordingly, the appeal stands allowed.**

(Satyavrat Verma, J)

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