

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.545 of 2026

Arising Out of PS. Case No.-429 Year-2025 Thana- CHAINPUR District- Kaimur (Bhabua)

1. Balwant Yadav S/O Vijay Yadav R/O Village- Ramoli, P.S- Chainpur, Distt.- Kaimur at Bhabua.
2. Vijay Yadav S/O Late Surahu Yadav R/O Village- Ramoli, P.S- Chainpur, Distt.- Kaimur at Bhabua.

... .. Appellant/s

Versus

1. The State of Bihar
2. Kumkum Devi W/O Vinod Ram R/O Village- Ramoli, P.S- Chainpur, Distt.- Kaimur at Bhabua.

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Ashutosh Tripathy
For the Respondent/s : Mr.Binay Krishna

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

4 22-07-2026 1. Heard learned counsel for the appellants, learned Special Public Prosecutor for the State, Mr. Binay Krishna and 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 11.12.2025 in A.B.P. No. 2324 of 2025 passed by the learned 1st Additional Sessions Judge-cum-Special Judge, SC/ST (POA) Act, Kaimur at Bhabua in connection with Chainpur P.S. Case No. 429 of 2025 registered under Sections



126(2), 115(2), 109, 74, 303(2), 324(4), 352 and 3(5) of the BNS , Section 27 of Arms Act as well as Sections 3(1)(r) and 3(2)(v) of the SC/ST Act.

3. Learned counsel appearing on behalf of the appellants submits that appellants have antecedent of one case, it is next submitted that from perusal of the allegation as alleged in the FIR, it would manifest that the entire occurrence took place at the house of the informant, it is also submitted that no specific allegation is alleged against the appellant no. 2, but then against appellant no. 1, it is alleged that he fired but missed, it is further submitted that allegation is of abuse and assaulting the informant and her family member including her husband but then allegation of assault is also general and omnibus in nature, it is next submitted that allegation of firing is alleged to give seriousness to the case when no empty cartridge was recovered from the place of occurrence nor anyone was injured and snatching of Rs. 8,000/- is ornamental. It is also submitted that entire occurrence took place at the house of the informant thus was not in public view.

4. Learned Special Public Prosecutor for the State and learned counsel appearing on behalf of the informant oppose the prayer for anticipatory bail of the appellants.



5. Considering the submissions made by the learned counsel appearing on behalf of the appellants, let the appellants, above-named, in the event of their arrest or surrender within a period of six weeks from the date of receipt of the order, 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 in connection with the aforesaid case, subject to the conditions as laid down under Section 438(2) of the Cr.P.C./482(2) of the B.N.S.S.

6. Accordingly, the impugned order is set aside and this appeal stands allowed.

(Satyavrat Verma, J)

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