

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.562 of 2026

Arising Out of PS. Case No.-360 Year-2025 Thana- BHORE District- Gopalganj

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1. Rudal Chaudhary @ Rudal Yadav S/O Late Birjhan Chaudhary Resident of Village- Bhadwahi, P.O- Bankata, Jagirdari, P.S- Bhore, Distt.- Gopalganj.
 2. Saraswati Devi W/O Rudal Choudhary Resident of Village- Bhadwahi, P.O- Bankata, Jagirdari, P.S- Bhore, Distt.- Gopalganj.
 3. Kamlesh Yadav S/O Late Ramashray Yadav Resident of Village- Bhadwahi, P.O- Bankata, Jagirdari, P.S- Bhore, Distt.- Gopalganj.

... .. Appellant/s

Versus

1. The State of Bihar
2. Bhagwati Gond @ Bhagwat Gond S/O Late Mukhlal Gond R/O Village- Bhadwahi, P.O- Bankata Jagirdari, P.S- Bhore, Distt.- Gopalganj.

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr.Dhramveer
For the Respondent/s	:	Mr.Sadanand Paswan Mr.Vyas Kumar Mishra

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

4 22-07-2026 1. Heard the learned counsel for the appellants, the learned counsel appearing on behalf of the informant and the learned Special Public Prosecutor for the State.

2. The appellants have challenged the order dated 01.11.2025 passed by the learned District & Additional Sessions Judge-XI-cum-Special Judge, SC/ST Act, Gopalganj in connection with ABP No.2385 of 2025 arising out of Bhore P. S. Case No.360 of 2025, instituted for the offences under Sections 318(4), 338 and 336(2) of the B.N.S. and Section 3(i)(r), 3(2) (va) of the Scheduled Castes & Scheduled Tribes (Prevention of



Atrocities) Act, 1989, whereby their prayer for grant of anticipatory bail has been rejected.

3. The learned counsel appearing on behalf of the appellants submits that informant alleges that his co-villager Lal Bihari Gond, Saraswati Devi and Rudal Chaudhary, Kamlesh Yadav and Munna Sah hatched conspiracy and sold his land. Further, on 13.06.2025, Lal Bihari Gond sold his land to Saraswati Devi, thereafter informant obtained certified copy of the sale deed. It is next alleged that on 19.07.2025 at about 3.00 P.M. while he was at his home when all the accused persons came when informant requested them to cancel the deed on which the accused persons abused by taking caste name and also threatened to kill.

4. The learned counsel for the appellants submits that appellants have been falsely implicated in the instant case by the informant. It is next submitted that from perusal of the allegations as alleged in the FIR, it would manifest that informant alleges that Lal Bihari Gond sold the land in dispute to Saraswati Devi. It is next submitted that Lal Bihari Gond and informant are own cousin brother, but then, the said relationship has been concealed in the FIR, rather the informant alleges that his co-villager conspired and sold his land. It is next submitted



that Saraswati Devi is purchaser of the land and is wife of Rudal Chaudhary and Kamlesh Yadav is identifier on the sale deed. It is thus submitted that as far as appellant nos. 1 and 2 are concerned, they came to be implicated only for the reason that appellant no. 2 purchased land from Lal Bihari Gond and appellant no. 1 is her husband while appellant no. 3 is an identifier of the land which informant claims belongs to him, but then, has not disclosed that informant is cousin brother of vendor of Saraswati Devi. It is also submitted that till date no application has been filed by the informant before a Court of competent civil jurisdiction for getting the sale deed cancelled.

5. The learned Special P.P. as well as the learned counsel appearing on behalf of the informant opposes the appeal, but then, are not in a position to rebut the submission of the learned counsel appearing on behalf of the appellants that informant has not filed any application seeking cancellation of sale deed, but then, learned counsel for the informant submits that a title suit is pending in between the informant Lal Bihari Gond and during the pendency of the title suit, the land was sold by Lal Bihari Gond in favour of Saraswati Devi, on which the learned counsel for the appellants submits that if any title suit is pending before the learned Trial Court in between the informant



and Lal Bihari Gond that in itself cannot be a ground for implicating the appellants in a criminal case merely for the reason that Saraswati Devi purchased the land in dispute.

6. Regard being had to the aforesaid submissions, the order dated 01.11.2025 is set-aside.

7. The appeal stands allowed.

8. The appellants, above-named, in the event of their arrest or surrender before the learned Court below within a period of eight weeks, are directed to be released on bail on their furnishing bail-bonds in the sum of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned District & Additional Sessions Judge-XI-cum-Special Judge, SC/ST Act, Gopalganj in connection with ABP No.2385 of 2025 arising out of Bhore P. S. Case No.360 of 2025, subject to the conditions laid down under Section 482(2) of the BNSS.

(Satyavrat Verma, J)

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