

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.689 of 2025

Arising Out of PS. Case No.-20 Year-2024 Thana- SC/ST District- Bhojpur

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1. Shivanand Yadav S/O Nandji Yadav R/O Vill.- Motirampur, P.S.- Bihiya, P.o.- Kalyanpur, Dist.- Bhojpur.
 2. Bablu Yadav S/O Hridayanand Yadav R/O Vill.- Motirampur, P.S.- Bihiya, P.o.- Kalyanpur, Dist.- Bhojpur.
 3. Suraj Yadav S/O Hridayanand Yadav R/O Vill.- Motirampur, P.S.- Bihiya, P.o.- Kalyanpur, Dist.- Bhojpur.
 4. Nitish Kumar @ Nitish Yadav S/O Tilakdhari Yadav R/O Vill.- Motirampur, P.S.- Bihiya, P.o.- Kalyanpur, Dist.- Bhojpur.

... .. Appellant/s

Versus

1. The State of Bihar
2. Raju Kumar S/O Rajendra Prasad R/O Vill.- Narayanpur, P.S.- Bihiya, Dist.- Bhojpur.

... .. Respondent/s

Appearance :

For the Appellant/s	:	Ms. Surekha Kumari, Advocate
For the Respondent/s	:	Mr. Binay Krishna, Special PP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

5 04-05-2026 1. Heard learned Senior counsel for the appellants, Sri Krishna Prasad Singh and learned Spl. PP, Sri 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 03.02.2024 in A.B.P. No. 3058 of 2024 passed by the learned 1st Additional Sessions Judge-cum-Special Judge S.C./S.T. (POA) Act, Bhojpur at Ara in connection with SC/ST



P.S. Case No. 20 of 2024 registered for the offences punishable under Sections 147, 149, 341, 323, 307, 504 and 506 of the Indian Penal Code as well as Sections 3(1)(r), 3(1)(s) and 3(2)(v) of the SC/ST Act.

3. The Investigating Officer of the case, in compliance of the order dated 28.04.2026, is present in the Court.

4. Learned Senior counsel for the appellants submits that appellants are persons with clean antecedent and appellant nos. 2 and 3 are young boys aged about 24 years and 19 years. It is also submitted that earlier Vikash Kumar Yadav along with four others had approached this Court seeking anticipatory bail by filing Cr. Appeal (SJ) No. 4907 of 2024 and the same came to be allowed partly by an order dated 22-4-2026 after hearing the learned counsel appearing on behalf of the informant. It is further submitted that while allowing Cr. Appeal (SJ) No. 4907 of 2024 partly, the Court had considered the case on merits and in detail.

5. It is further submitted that the informant alleges that on 26.03.2024, at 08:30 a.m. cricket was being played in between the village Narayanpur and Motipur in which a fight ensued amongst the children but the dispute was settled, further on the same day, in the evening at 06:00 p.m., the informant and



Ramji Ram were going to purchase grocery when the named accused persons including the appellants intercepted them and Pradip Kumar Yadav abused the informant by taking caste name and assaulted by rod causing injury on head, while Vikash Kumar assaulted the informant by knife causing injury on rib and the informant fell down, thereafter Nitish Kumar Yadav assaulted him causing injury on head, further Suraj Yadav (appellant no. 3) assaulted the informant by rod causing fracture of leg and Bablu Yadav (appellant no. 2) assaulted the informant by rod causing fracture of right hand, thereafter all accused assaulted and abused by taking caste name.

6. Learned Senior counsel for the appellants submits that specific allegation of assault is alleged against appellant nos. 2 and 3 and as far as appellant nos. 1 and 4 are concerned, the allegation of assault against them is general and omnibus in nature though Nitish (appellant no. 4) is alleged to have assaulted the informant causing injury on head, but then the FIR does not disclose that by what Nitish assaulted the informant. It is further submitted that injury suffered by the informant on account of assault by Bablu has been opined to be simple in nature and the one suffered on account of assault by Suraj has been opined to be grievous in nature, but then it is submitted



that on account of dispute amongst children while playing cricket, the occurrence is alleged to have taken place. It is also submitted that the occurrence did not take place on account of the fact that informant belongs to the SC/ST category. It is next submitted that even allegation of abuse is general and omnibus in nature. It is further submitted that appellant nos. 2 and 3 are young boys and if they are sent to judicial custody, their entire career would get jeopardized and chances are bright that they may come in contact with hardened criminals. It is further submitted that from side of the appellants also, Bihiya P.S. Case No. 99 of 2024 has been instituted and Suraj also suffered injury on account of assault.

7. Learned Special 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 03.02.2024 in A.B.P. No. 3058 of 2024 passed by the learned 1st Additional Sessions Judge-cum-Special Judge S.C./S.T. (POA) Act, Bhojpur at Ara in connection with SC/ST P.S. Case No. 20 of 2024, **is hereby set aside** and the appellants above-named, in the event of their 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) 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 SC/ST P.S. Case No. 20 of 2024 subject to the conditions as laid down under Section 482 (2) of the BNSS.

9. Accordingly, the appeal stands allowed.

10. The personal appearance of the Investigating Officer of the case is dispensed with.

(Satyavrat Verma, J)

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