

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.616 of 2026

Arising Out of PS. Case No.-227 Year-2025 Thana- CHHATAPUR District- Supaul

Raman Yadav S/O Khelanand Yadav R/O Vill.- Girdharpatti, P.S.- Chhatapur,
Dist.- Supaul

... .. Appellant

Versus

1. The State Of Bihar
2. Rajo Devi W/O Late Kamleswari Uraw R/O Vill.- Girdharpatti, Ward no. 8 P.S.- Chhatapur, Dist.- Supaul

... .. Respondents

Appearance :

For the Appellant/s	:	Mr. Ranjay Kumar Singh, Advocate
For the State	:	Mrs. Usha Kumari 1, Special PP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL JUDGMENT

Date : 17-07-2026

Heard learned counsel for the appellant and learned special PP for the State. Despite service of notice upon the respondent no. 2, there is no representation on her behalf.

2. The present appeal has been preferred by the appellant under Section 14(A)(2) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 against the refusal of prayer for anticipatory bail by order dated 17.12.2025 passed by learned Exclusive Special Judge, SC/ST (Prevention of Atrocities) Act, Supaul in connection with Chhatapur P.S. Case No. 227 of 2025 registered for the alleged offence under Sections 103(1) r/w 3(5) of Bharatiya Nyaya Sanhita, 2023 and Section 3(1)(r)(s) and 3(2)(va) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.



3. As per the prosecution case, while the husband of the informant and their minor sons went to attend a feast, the appellant and other co-accused persons became agitated on demand by the husband of the informant to return his land and they shot at the husband of the informant. The husband of the informant told the informant about the occurrence and succumbed to his injuries during treatment.

4. Learned counsel for the appellant submits that the appellant is innocent and has been falsely implicated in this case. No occurrence in the manner as alleged has ever taken place. Admittedly, there is land dispute between the parties and from the facts of the case there could be no application of any of the provisions of SC/ST (Prevention of Atrocities) Act. The appellant has not purchased any land from the husband of the informant and for this reason, there was no occasion for the appellant to abuse or assault or shoot at the husband of the informant. Moreover, the allegation of firing upon the husband of the informant is against co-accused Mukesh Yadav and Kishore Sardar and no role has been assigned to the appellant. Learned counsel also submits that the present case has been instituted after much deliberation and afterthought and this fact is clear from the police report itself, wherein the police mentioned that it received information about the husband of the



informant being shot at by the antisocial elements on 13.07.2025 and the information was given to police at 20:45 hours, still, no FIR was instituted and, thereafter, when the postmortem was done, getting knowledge of the postmortem report, the informant has instituted the present case. Learned counsel further submits that the dispute is related to land and the informant has tried to implicate as many persons as possible including the appellant and his family members. Learned counsel further submits that the appellants have got no criminal antecedent.

5. Learned Special PP for the State vehemently opposes the submission made on behalf of the appellant. Learned Special PP submits that the informant has clearly stated that in the FIR that the appellant and other co-accused persons took the husband of the informant to the disputed land and there, he was shot at by the other co-accused persons and subsequently, succumbed to his injuries during treatment.

6. Perused the record.

7. Having regard to the aforesaid facts and circumstances and submissions made on behalf of the parties and considering the vague and doubtful nature of allegation against the appellant and also considering absence of material to make out a *prima facie* case under the provisions of the SC/ST (Prevention of Atrocities) Act, let the appellant above named, in



the even of his arrest or surrender before the court concerned within a period of eight weeks from today, be released on bail, on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand Only) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Judge, SC/ST (Prevention of Atrocities) Act, Supaul/court concerned in connection with Chhatapur P.S. Case No. 227 of 2025, subject to the condition laid down under Section 482(2) of BNSS and other following conditions:

- (i) One of the bailors will be a close relative of the appellant.
- (ii) The appellant will remain present on each and every date fixed by the court below.

8. Accordingly, the impugned order dated 17.12.2025 is set aside and the appeal is allowed.

(Arun Kumar Jha, J)

Ashish/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	18.07.2026
Transmission Date	18.07.2026

