

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.681 of 2026

Arising Out of PS. Case No.-530 Year-2023 Thana- CHANDAUTI District- Gaya

1. Bali Yadav @ Rambali Yadav S/o Late Kailash Yadav R/o Village - Dumra P.s- Chandauti , District -Gaya jii
2. Balo Yadav S/o Late Kailash Yadav R/o Village - Dumra P.s- Chandauti , District -Gaya jii
3. Lal Babu Yadav S/o Late Kailash Yadav R/o Village - Dumra P.s- Chandauti , District -Gaya jii
4. Sujeet Yadav S/o Yamuna Yadav R/o Village - Dumra P.s- Chandauti , District -Gaya jii
5. Arjun Yadav S/o Ram Bilash Yadav R/o Village - Dumra P.s- Chandauti , District -Gaya jii
6. Mantu Yadav @ Mantu Kumar S/o Arjun Yadav R/o Village - Dumra P.s- Chandauti , District -Gaya jii

... .. Appellant/s

Versus

1. The State of Bihar
2. Bipin Kumar S/o Binod Chaudhary R/o Village - Dumra P.s- Chandauti , District -Gaya jii

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr.Brijmohan Das
For the Respondent/s	:	Mr.Sadanand Paswan
		Mr.Ritesh Kumar
		Mr.Narain Singh
		Mr.Sanjeev Kumar

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 3 23-04-2026 1. Heard the learned counsel for the appellants, the learned Special Public Prosecutor for the State and the learned counsel appearing on behalf of the informant.
2. The delay of 93 days in filing the appeal is hereby condoned.
3. The appellants have challenged the order dated



31.07.2025 passed by the learned Exclusive Special Judge, SC/ST Act, Gaya in connection with ABP No.201 of 2025 arising out of Chandauti P. S. Case No.530 of 2023, instituted for the offences under Sections 341, 323, 307, 379, 504, 506, 34 of the Indian Penal Code and Section 3(1)(r)(s),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.

4. The learned counsel appearing on behalf of the appellants submits that appellant nos.1, 2, 5 and 6 have antecedent of one case and appellant nos.3 and 4 are persons with clean antecedent and the informant alleges that on 27.10.2023 at 3.30 P.M., he was going to his village from Gaya when accused persons intercepted him and Sudhir abused him by taking caste name and gave orders to kill, thereafter Sudhir assaulted him by lathi on ribs, on alarm his villagers came when Sudhir assaulted Binod Chaudhary by rod on his head causing injury on head, thereafter, Mantu assaulted Akash by lathi causing injury near his ear, while Arjun snatched Rs.2,000/- from his pocket and Balo fired and threatened. Further, the injured were brought to the hospital.

5. 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 allegation as alleged in the FIR, it would manifest that there is allegation against Sudhir, but Sudhir is not the appellant in the instant appeal and allegation of abuse is general and omnibus in nature. It is further submitted that no specific allegation of assault is alleged against appellant nos.1, 3 and 4 though against appellant no.2, it is alleged that he fired, but then no one was injured nor the case has been instituted under the Arms Act. It is next submitted that allegation against the appellant no.5 Arjun Yadav is ornamental i.e. of snatching Rs.2,000/- and Mantu is alleged to have assaulted Akash by lathi. It is further submitted that police after threadbare investigation came to a considered conclusion that appellants are innocent and thus submitted final form, but the learned Trial Court differing with the police report in a mechanical manner took cognizance. It is thus submitted that one investigating agency after threadbare investigation came to a considered conclusion that appellants are innocent whether it would be prudent for the Court to send the appellants to jail based on an order of cognizance which came to be taken based on the same police report which had exonerated the appellants of the allegations.



6. The learned Special P.P. as well as the learned counsel appearing on behalf of the informant opposes the appeal and submits that since cognizance has been taken, as such, prima facie case is made out, hence Section 18 of the SC/ST (POA) Act would apply.

7. After hearing the learned counsel for the parties, the Court was inclined to grant the privilege of anticipatory bail to the appellants, but since cognizance has been taken, as such, the appeal is disposed of with a direction to the appellants to surrender before the learned trial Court on 01.05.2026, if the appellants surrender on 01.05.2026, the learned trial Court shall consider and dispose of the same on the same day keeping in mind the fact that the police after investigation submitted final form exonerating of the allegations as alleged in the FIR.

8. The appeal stands disposed off with the aforesaid direction.

(Satyavrat Verma, J)

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