

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.678 of 2026

Arising Out of PS. Case No.-285 Year-2025 Thana- MOHANPUR District- Gaya

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1. Guddu Kumar S/O Chandradeo Yadav Resident of Vill.- Amahana, P.S.- Mohanpur, Dist.- Gaya.
 2. Lalu Yadav @ Vivek Yadav S/O Chandradeo Yadav Resident of Vill.- Amahana, P.S.- Mohanpur, Dist.- Gaya.

... .. Appellant/s

Versus

1. The State of Bihar
2. Kameshwar Dusadh S/O Late Sital Dusadh Resident of Vill.- Amahana, P.S.- Mohanpur, Dist.- Gaya.

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr. Shubham Kumar, Advocate Mr. Himanshu Ranjan, Advocate
For the Respondent/s	:	Mr.Sadanand Paswan, Special PP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

4 28-07-2026 1. Heard learned counsel for the appellants, learned Spl. P.P. for the State, Mr. Sadanand Paswan and the 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 15.10.2025 passed by the learned 1st Additional Sessions Judge-cum-Special Judge S.C./S.T. (POA) Act, Gaya Jee in connection with Mohanpur P.S. Case No. 285 of 2025 registered for the offences punishable under Sections 126(2), 329(4), 115(2), 352, 351(2), 303(2), 74, 3(5) of the BNS as well as Sections 3(1)(r) and 3(1)(s)



and 3(2) (va) of the SC/ST Act.

3. Learned counsel appearing on behalf of the appellants submits that the appellants are person with clean antecedent and the informant alleges that he along with his son (Ashok) on 28.07.2025 at 08:00 PM were at home, when Pappu came and started abusing, on objection, Pappu started scuffling, thereafter appellants along with Mahadev came and entered the house and assaulting him and his family members and Pappu snatched chain of his daughter-in-law and acted inappropriately and the occurrence took place on account of dispute relating to passage.

4. Learned counsel appearing on behalf of the appellants submits that the appellants have been falsely implicated in the instant case on account of dispute relating to passage, it is further submitted that from perusal of the allegation as alleged in the FIR, it would manifest that allegation against the appellants of abuse and assault is general and omnibus in nature, it is also submitted that thrust of the allegation is against Pappu, but then it is also submitted that even presuming what has been alleged is true without admitting then entire occurrence took place at the house of the informant and thus was not in public view.

5. Learned Special P.P. for the State and learned counsel appearing on behalf of the informant opposes the prayer for



anticipatory bail of the appellants submits that appellants have not approached the Court with clean hand, it is submitted that from Para-3, it is pleaded that appellants are persons with clean antecedent when appellants have antecedent of one criminal case.

6. On query of the Court from the learned counsel appearing on behalf of the appellants that as to whether appellants have criminal antecedent or not, learned counsel appearing on behalf of the appellants submitted that the criminal antecedent was disclosed as per order impugned, as the order impugned does not record about criminal antecedent of the appellants, on which the learned Special PP submits that it was mandatory for the appellants to approach this Court with clean hand.

7. After hearing the learned counsel for the parties and taking into consideration the submissions made by the learned Special PP and learned counsel appearing on behalf of the informant that appellants have not approached the Court with clean hand, the Court is not inclined to allow the appeal.

8. Thus, the appeal is rejected.

(Satyavrat Verma, J)

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