

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.858 of 2026

Arising Out of PS. Case No.-284 Year-2025 Thana- MAGADH UNIVERSITY District- Gaya

1. Shankar Yadav Son of Late Jago Yadav R/O Vill.- Shekhwara, Police Station- Magadh University, District- Gaya JI
2. Suman Kumar @ Suman Yadav Son of Shankar Yadav R/O Vill.- Shekhwara, Police Station- Magadh University, District- Gaya JI
3. Parwati Devi wife of Shankar Yadav R/O Vill.- Shekhwara, Police Station- Magadh University, District- Gaya JI
4. Lala Kumar @ Lala Yadav @ Anuj Raj Son of Shankar Yadav R/O Vill.- Shekhwara, Police Station- Magadh University, District- Gaya JI
5. Sachin Kumari Wife of Suman Kumar @ Suman Yadav R/O Vill.- Shekhwara, Police Station- Magadh University, District- Gaya JI

... .. Appellant/s

Versus

1. The State of Bihar.
2. Urmila Devi Wife of Birju Manjhi Resident of Village-Shekhwara, Police Station- Magadh University, District- Gaya

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr. Shailesh Kumar, Advocate
For the Respondent/s	:	Mr. Binay Krishna, Spl.P.P.
For the Resp. No. 2	:	Mr. Arvind Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 17-07-2026 Learned counsel for the appellants submit that so far as the appellant nos. 1 and 2 namely, Shankar Yadav and Suman Kumar respectively are concerned, they have surrendered and are now out of bail and as such, there prayer be withdrawn.

2. Permission accorded.

3. Accordingly, the anticipatory bail application with respect to appellant nos. 1 and 2 namely, Shankar Yadav and Suman Kumar respectively stands dismissed as withdrawn.



4. Heard the parties.

5. The present appeal has been preferred against the order dated 24.01.2026 passed by the learned Court of Exclusive Special Judge, SC/ST, Gaya Ji in CIS No. A.B.P. Excl. Spl. SC/ST 13/2026 arising out of Magadh University P.S. Case No. 284/2025 registered under section 115(2), 126(2), 74, 318(4), 336(3), 308(2), 352, 3(5) of B.N.S. read with Section 3(i)(r)(s)(w) of the SC/ST (POA) Act whereby and where under the prayer for anticipatory bail of the appellants is rejected which is based on illegal foundation of law and is liable to be set aside.

6. As per the prosecution story, the informant alleges that when there was a marriage in the his family, appellant no. 1, Shankar Yadav gave a loan of Rs. 2,10,000/- which was returned in installments. Subsequently, he took the papers of allotment in “Indira Aawas” but was not returned and when she confronted, the accused persons resorted to assault as also outraging the modesty. This led to the FIR.

7. Learned counsel for the appellants submit that a perusal of the FIR would show that main allegation is against appellant nos. 1 and 2 whose prayer already stands withdrawn and only to drag the entire family, the allegations were made.



8. The respondent no. 2 has appeared and opposes the prayer submitting that despite the money was returned, the accused resorted to assault and outraging the modesty of female inmates.

9. Taking into account the submission of the parties aforesaid as also that main allegation is against appellant nos. 1 and 2 namely, Shankar Yadav and Suman Kumar, the other appellants are family members and no direct allegation is there and two of them are ladies, in that background, this Court is inclined to extend them privilege of bail with conditions.

10. The impugned order dated 24.01.2026 stands set aside and the appeal is allowed with regard to appellant nos. 3, 4 and 5, namely, Parwati Devi, Lal Kumar @ Lala Yadav @ Anuj Raj and Sachin Kumari respectively.

11. Let the appellant nos. 3, 4 and 5, namely, Parwati Devi, Lal Kumar @ Lala Yadav @ Anuj Raj and Sachin Kumari respectively in the event of arrest/surrender within a period of eight weeks from the date of receipt/production of a copy of this order, be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Court of Exclusive Special Judge, SC/ST, Gaya Ji in connection with



Magadh University P.S. Case No. 284/2025 subject to the following conditions:

(i) one of the bailor should be the family member/relative of the appellant nos. 3, 4 and 5, namely, Parwati Devi, Lal Kumar @ Lala Yadav @ Anuj Raj and Sachin Kumari respectively who shall provide official document to show his/her bona fide;

(ii) the appellant nos. 3, 4 and 5, namely, Parwati Devi, Lal Kumar @ Lala Yadav @ Anuj Raj and Sachin Kumari respectively shall be appearing before the Police Station as and when required for cooperating in the investigation;

(iii) the appellant nos. 3, 4 and 5, namely, Parwati Devi, Lal Kumar @ Lala Yadav @ Anuj Raj and Sachin Kumari respectively shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of their bail bond by the Trial Court itself;

(iv) the appellant nos. 3, 4 and 5, namely, Parwati Devi, Lal Kumar @ Lala Yadav @ Anuj Raj and Sachin Kumari respectively shall appear before the concerned police station every month for six months to mark their attendance and after the end of the period, the certificate shall be submitted before



the Trial Court failing which steps shall be taken for the cancellation of the bail bonds;

(v) the appellant nos. 3, 4 and 5, namely, Parwati Devi, Lal Kumar @ Lala Yadav @ Anuj Raj and Sachin Kumari respectively shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(vi) the appellant nos. 3, 4 and 5, namely, Parwati Devi, Lal Kumar @ Lala Yadav @ Anuj Raj and Sachin Kumari respectively shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of the bail bonds.

(Rajiv Roy, J)

Adnan/-

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