

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.887 of 2025

Arising Out of PS. Case No.-345 Year-2024 Thana- DULHIN BAZAR District- Patna

Santosh Yadav @ Santosh Kumar Son of Ram Anuj Yadav @ Ramanuj Yadav
Resident of Village - Sarbadipur, Police Station - Dulhin Bazar, District -
Patna

... .. Appellant/s

Versus

1. The State of Bihar
2. Kumkum Devi Wife of Ramakant Paswan Resident of Village - Sarbadipur,
Police Station - Dulhin Bazar, District - Patna

... .. Respondent/s

with

CRIMINAL APPEAL (SJ) No. 911 of 2025

Arising Out of PS. Case No.-345 Year-2024 Thana- DULHIN BAZAR District- Patna

1. Manish Yadav @ Manish Kumar Son of Vidya Kumar @ Satya Yadav @
Satya Prasad. Resident of Village - Sarbadipur, Police Station- Dulhin Bazar,
Dist.- Patna
2. Vidya Kumar @ Satya Yadav @ Satya Prasad Son of Late Deo Chand
Yadav. Resident of Village - Sarbadipur, Police Station- Dulhin Bazar, Dist.-
Patna
3. Subhash Yadav Son of Rajdev Yadav. Resident of Village - Sarbadipur,
Police Station- Dulhin Bazar, Dist.- Patna
4. Golu Kumar @ Amarnath Yadav@ Amarnath Kumar Son of Nagendra
Yadav @ Narendra Prasad. Resident of Village - Sarbadipur, Police Station-
Dulhin Bazar, Dist.- Patna

... .. Appellant/s

Versus

1. The State of Bihar
2. Kumkum Devi W/O Ramakant Paswan Resident of Village - Sarbadipur,
Police Station- Dulhin Bazar, Dist.- Patna

... .. Respondent/s

Appearance :

(In CRIMINAL APPEAL (SJ) No. 887 of 2025)

For the Appellant : Dr. Manoj Kumar, Advocate

For the State : Ms. Usha Kumari 1, Spl.PP

For the Informant : N o n e

(In CRIMINAL APPEAL (SJ) No. 911 of 2025)



For the Appellants : Dr. Manoj Kumar, Advocate
For the State : Ms. Usha Kumari 1, Spl.PP
For the Informant : N o n e

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 16-04-2026 Heard learned counsel appearing for the appellants
and learned Special Public Prosecutor appearing for the
respondent-State.

2. Despite valid service of notice, no body appears on
behalf of the informant/Respondent No. 2.

3. Since both these appeals arise out of the same P.S.
case, they are being taken up together and disposed of by this
common order.

4. These appeals have been filed for setting aside
orders dated 05.02.2025 passed in A.B.P. Nos. 216 of 2025 and
310 of 2025 arising out of a case registered for the offence
punishable under Sections 191(2), 191(3), 190, 126(2), 115(2),
118(1), 117(2), 74, 352 and 351(2) of the B.N.S. and Section
3(1)(r)(s) of the Scheduled Castes and Scheduled Tribes
(Prevention of Atrocities) Act, whereby the prayer for grant of
anticipatory bail of these appellants has been rejected.

5. The prosecution case, in brief, is that on
17.12.2024, when father-in-law of the informant was going to
harvest paddy crops, in the meantime, all the F.I.R. named
accused persons, including these appellants, surrounded him and



started assaulting him as a result of which, he sustained injury on his left eye. It is further alleged that when informant went to save him, she was also assaulted by means of *danda*.

6. It is submitted by learned counsel appearing on behalf of the appellants that appellants are quite innocent and have committed no offence. From bare perusal of the F.I.R. it is apparent that specific accusation of assault is against co-accused Chandan Yadav. So far as these appellants are concerned, there is general and omnibus nature of accusation and there is no specific allegation of any overt act against them. Moreover, doctor has found the injuries, allegedly caused by these appellants, simple in nature. It is further submitted that there is no allegation of abuse by caste name and as such, no case under the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act is made out against these appellants.

7. Learned Spl. P.P. appearing for the respondent-State has opposed the prayer for grant of bail to the appellants.

8. Considering the facts and circumstances of the case, general and omnibus nature of accusation and nature of injuries allegedly caused by these appellants, both these appeals are allowed and the impugned orders dated 05.02.2025 passed by the learned Exclusive Special Judge, S.C./S.T. Act, Civil



Court (Sadar), Patna in connection with A.B.P. No. 310 of 2025 and A.B.P. No. 216 of 2025 arising out of Dulhin Bazar P.S. Case No. 345 of 2024 is hereby set aside with respect to these appellants only.

9. Accordingly, let the appellants, named above, 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 learned Exclusive Special Judge, S.C./S.T. Act, Civil Court (Sadar), Patna in connection with Dulhin Bazar P.S. Case No. 345 of 2024.

(Prabhat Kumar Singh, J)

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