

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1019 of 2025

Arising Out of PS. Case No.-831 Year-2024 Thana- BARH District- Patna

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1. Pinku Yadav @ Pinku Kumar @ Amresh Kumar Son of Lalbabu Yadav @ Brahmachari Krishna Chandra Resident of Village - Tika Chak, Mahammadpur, P.S. - Barh, District - Patna
 2. Ranvir Yadav @ Ranvir Kumar Son of Late Ramvilash Prasad Resident of Village - Gulab Bag, P.S. - Barh, District - Patna
 3. Lallu Mukhiya @ Karnvir Singh Yadav Son of Late Ramvilash Prasad Resident of Village - Gulab Bag, P.S. - Barh, District - Patna

... .. Appellant/s

Versus

1. The State of Bihar
2. Hira Das Son of Bal Govind Das Resident of Village - Purani Barh, P.S. - Barh, District - Patna

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr. Chitranjan Sinha, Sr. Advocate Mr. Arun Kumar
For the Respondent/s	:	Mr. Jharkhandi Upadhyay, APP Mr. Binay Krishna
For the Res No.2	:	Mr. Ajay Kumar Sinha, Advocate

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

4 12-03-2026 Heard the learned senior counsel for the appellants, the learned APP for the State, and the learned counsel for the Respondent No. 2.

2. Learned Senior Counsel for the appellants submits that an Interlocutory Application bearing *I.A. No. 01 of 2025* has been filed on behalf of Appellant No. 3, Lallu Mukhiya @ Karnvir Singh Yadav, seeking permission to withdraw Criminal Appeal (S.J.) No. 1019 of 2025 so far as Appellant No. 3 is concerned. It is further submitted that the appellant has



surrendered before the learned court below in connection with Barh P.S. Case No. 98 of 2023 on 29.11.2025, has been remanded to judicial custody, and is presently in judicial custody.

3. For the reasons mentioned in the interlocutory application, I.A. No. 01 of 2025 is allowed. Accordingly, the present appeal filed on behalf of the Appellant No. 3, Lallu Mukhiya @ Karnvir Singh Yadav is dismissed as withdrawn.

4. This case is now been limited to Appellant No. 1 and 2 only.

5. This appeal is preferred against the order dated 21.02.2025 passed by the learned Exclusive Special Judge, SC/ST (POA) Act, Patna passed in ABP No. 657 of 2025 arising out of Barh P.S. Case No. 831 of 2024 registered for the offence under Sections 126(2), 115(2), 117(2), 303(2), 308(2), 3(5) of the Bharatiya Nyaya Sanhita, 2023 and under Sections 3(i)(r)(s), 3(2)(va) of the SC/ST Act, by which the prayer of the appellants for anticipatory bail was rejected.

6. The prosecution story, in brief, is that on 28.10.2024 at around 8:00 a.m., the petitioners, along with two unknown persons, came to the house of the informant and took him into their vehicle on the pretext that Lallu Mukhiya was



calling him. The informant was allegedly assaulted with the butt of a pistol, and his mobile phone was snatched. While being taken in the vehicle, the informant jumped out and, as a result, fractured both his hands. The informant managed to flee. Subsequently, the informant was being threatened through mobile.

7. Learned Senior counsel for the appellants submits that the appellants have falsely been implicated in this case and no offence under the provisions of SC/ST Act is made out in this case and therefore, this anticipatory bail application is maintainable.

8. Learned counsel for the State and the learned counsel for the informant have opposed the prayer of the appellants.

9. From the reading of the entire FIR, it appears that two appellants are the henchmen of Lallu Mukhiya (Appellant No. 3) and on the orders of Appellant No. 3, they have forced the informant to come with them. Appellant No. 1 has one criminal antecedent, Appellant No. 2 has 7 criminal antecedents, and Appellant No. 3 has 13 criminal antecedents.

10. From the perusal of the entire material available on record, it appears that it is a gang of criminals headed by



Lallu Mukhiya and they are creating havoc in the local area.

11. Considering the above facts and circumstances of the case, I am not inclined to grant the privilege of anticipatory bail to Appellant No. 1 and 2 in the present case.

12. Accordingly, the appeal for anticipatory bail is dismissed.

13. The Appellant Nos. 1 and 2 are directed to surrender in the concerned Court below within a period of one week from today and seek regular bail, failing which the Senior Superintendent of Police, Patna will take all steps for the arrest of the appellants and he shall file a compliance report to this Court within three weeks from today.

14. Let a copy of this order be communicated to the Senior Superintendent of Police, Patna through FAX for its compliance forthwith.

(Sandeep Kumar, J)

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