IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.907 of 2026

CNR No. BRHC010232672026

Arising Out of PS. Case No.-5 Year-2026 Thana- GURARU District- Gaya

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1. Ravikant Kumar @ Ravi Kumar S/o Ramdahin Yadav R/o village- Asni, P.S- Guraru, District- Gaya
2. Kiran Devi W/o Pawan Yadav @ Pawan Kumar R/o village- Asni, P.S- Guraru, District- Gaya
3. Pawan Kumar @ Pawan Yadav S/o Kuldeep Yadav R/o village- Asni, P.S- Guraru, District- Gaya
4. Nageswari Devi W/o Kuldeep Yadav R/o village- Asni, P.S- Guraru, District- Gaya

... ... Appellant/s

Versus

1. The State of Bihar
2. Sudarshan Chaudahry S/o Late Sukhan Chaudhary R/o village- Asni, P.S- Guraru, District- Gaya

... ... Respondent/s

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Appearance :
For the Appellants : Mr. Vinod Kumar, Advocate
For the State : Mr. Sadanand Paswan, Spl.PP
For the Informant : Mr. Priyadarshi Pankaj Raj Anand, Advocate

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH

ORAL ORDER

4 29-10-2026 Heard learned counsel appearing for the appellants, learned Special Public Prosecutor appearing for the respondent-State and learned counsel appearing for the informant/Respondent No. 2.

2. This appeal has been filed for setting aside order dated 12.02.2026 passed in a case registered for the offence punishable under Sections 126(2), 115(2), 117(2), 303(2), 76, 109, 352, 351(2) and 3(5) of the B.N.S. and Sections 3(1)(r)(s)

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and 3(2)(v-a) 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.

3. As per prosecution case, informant, namely Sudarshan Chaudhary, alleged that on 02.01.2026 at about 10:00 AM, while he was at his house, in the meantime, all the F.I.R. named accused persons, including these appellants, armed with *lathi* and rod, arrived there and abused informant and his family members with caste based slurs. It is further alleged that upon objection, all the accused persons assaulted informant and his daughters as a result of which they sustained multiple injuries and also snatched gold ornaments.

4. It is submitted by learned counsel appearing on behalf of the appellants that appellants are quite innocent and have committed no offence. As a matter of fact, on account of petty dispute over drainage of water, simple scuffle took place between the parties in which both sides sustained injuries. There is case and counter-case. From bare perusal of the F.I.R. it is apparent that specific accusation of assault is against co-accused Sachin Kumar and so far as these appellants are concerned, there is general and omnibus nature of allegation and no specific accusation of overt act has been levelled against these

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appellants. It is further submitted that it is not the case of the prosecution that any member of public was present at the place of occurrence and as such, no case under the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act is made out against these appellants. Appellants claim clean antecedents.

5. Learned Spl. P.P. appearing for the respondent-State and learned counsel appearing for the informant/Respondent No. 2 have vehemently opposed the prayer for grant of bail to the appellants.

6. Considering the facts and circumstances of the case, general and omnibus nature of accusation, case and counter-case between the parties and clean antecedents of the appellants, this appeal is allowed and the impugned order dated 12.02.2026 passed by the learned Exclusive Special Judge, SC/ST, Gaya Ji in connection with C.I.S. No.- A.B.P. Excl. Spl. SC/ST 42 of 2026 arising out of Guraru P.S. Case No. 05 of 2026 is hereby set aside with respect to these appellants only.

7. 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

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learned Exclusive Special Judge, SC/ST, Gaya Ji in connection with Guraru P.S. Case No. 05 of 2026.

(Prabhat Kumar Singh, J)

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