

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1140 of 2025

Arising Out of PS. Case No.-101 Year-2024 Thana- SC/ST District- Nawada

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1. Pramod Yadav S/o Lakhan Yadav @ Lakhan Prasad R/o Village- Bardaha, PS- Parnadabar, Distt- Nawada
 2. Lakhan Yadav @ Lakhan Prasad S/o Late Mahavir Yadav R/o Village- Bardaha, PS- Parnadabar, Distt- Nawada

... .. Appellant/s

Versus

1. The State of Bihar
2. Rajendra Rajbanshi S/o Raman Rajbanshi R/o vill - Bardaha, P.S.- Parnadabar, Distt.- Nawada

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Birendra Kumar
For the Respondent/s : Mr.Sadanand Paswan

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

5 29-07-2026 1. Heard the learned counsel for the appellants and the learned Special Public Prosecutor for the State.

2. The appellants have challenged the order dated 01.02.2025 passed by the learned Exclusive Special Judge, SC/ST (POA) Act, Nawada in connection with ABP No.279 of 2025 arising out of SC/ST P. S. Case No.101 of 2024, instituted for the offences under Sections 126(2), 115(2), 351(2), 351(3), 352, 76 of the B.N.S. and Sections 3(1)(r)(s)(w), 3(2)(v-a) of the Scheduled Castes & Scheduled Tribes (Prevention of Atrocities) Act, 1989, whereby their prayer for grant of anticipatory bail has been rejected.



3. The learned counsel appearing on behalf of the appellants submits that from perusal of the office report, it would manifest that the same records that son of the informant in presence of the informant received the notice.

4. Since the notice has been received by the son of the informant in his presence, as such, the notice is deemed to be validly served.

5. The learned counsel appearing on behalf of the appellants submits that appellants are persons with clean antecedent and the informant alleges that land in dispute was settled in his favour by the government vide Parwana No.17 of 1975-76 and since then, is in possession of the land and has sowed mustard, but the appellants on 21.09.2024 at 10.00 A.M. were ploughing the land with an intent to grab the same. On objection, appellants abused his wife, daughter in-laws and further assaulted the informant.

6. The learned counsel for the appellants submits that appellants have been falsely implicated in the instant case by the informant on account of dispute relating to land. It is further submitted that from perusal of the allegations as alleged in the FIR, it would manifest that allegation of abuse and assault is not specific. It is further submitted that the occurrence is to be



appreciated in backdrop of a land dispute. It is next submitted that the lands belonged to the appellants and the Parwana issued was not with respect to the land which the informant is claiming.

7. The learned Special P.P. opposes the appeal.

8. Regard being had to the aforesaid submissions, the order dated 01.02.2025 is set-aside.

9. The appeal stands allowed.

10. The appellants, above-named, in the event of their arrest or surrender before the learned Court below within a period of eight weeks, are directed to be released on bail on their furnishing bail-bonds in the sum of Rs.5,000/- (Rupees Five Thousand) each with two sureties of the like amount each to the satisfaction of learned Exclusive Special Judge, SC/ST (POA) Act, Nawada in connection with ABP No.279 of 2025 arising out of SC/ST P. S. Case No.101 of 2024, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

(Satyavrat Verma, J)

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