

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1248 of 2025

Arising Out of PS. Case No.-15 Year-2025 Thana- MOKAMAH District- Patna

1. Lallu Yadav @ Lallu Kumar @ Abishek Kumar S/o- Umesh Yadav Village- Sultanpur, Ward no 2 Ps-Mokama Disrtict- Patna
2. Chintu Yadav @ Shiv Kumar S/o- Sanjay Yadav Village- Sultanpur, Ward no 2 Ps-Mokama Disrtict- Patna
3. Sonu Kumar @ Aditya Kumar S/o- Sanjay Yadav Village- Sultanpur, Ward no 2 Ps-Mokama Disrtict- Patna
4. Ram Yadav @ Ram Kumar S/o- Tote Yadav @ Tota Yadav Village- Sultanpur, Ward no 2 Ps-Mokama Disrtict- Patna

... .. Appellant/s

Versus

1. The State of Bihar
2. Chandra Mauli Paswan S/o- Late Lakhan Paswan Village- Sultanpur, Ward no 2 Ps-Mokama Disrtict- Patna

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Chetanand Paswan, Advocate

For the Respondent/s : Mr. Sadanand Paswan, Special PP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA

ORAL ORDER

4 28-01-2026 1. Heard learned counsel for the appellants and learned Spl. P.P. for the State, Mr. Sadanand Paswan.

2. This is an appeal under Section 14-A(2) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 (hereinafter referred to as the “SC/ST Act”) against the refusal of prayer for anticipatory bail vide order dated 03.03.2025 in A.B.P. No. 653 of 2025 passed by the learned Exclusive Special Judge S.C./S.T. (POA) Act, Patna in connection with Mokama P.S. Case No. 15 of 2025 registered for the offences punishable under Sections 191(2), 191(3), 190, 109(1), 351(2) and 352 of the BNS, 2023 read with Section 27



of the Arms Act as well as Sections 3(i)(r)(s) and 3(2)(va) of the SC/ST Act.

3. The learned Special PP for the State, at the outset, submits that in compliance of the order dated 15.04.2025, he had informed the Superintendent of Police, Patna informing the informant about the pendency of the instant appeal through the concerned police station.

4. Learned counsel for the appellants submits that appellants are persons with clean antecedent and the informant alleges that a fight took place amongst the children on 18.01.2025 at 11:00 AM for playing cricket, further at 08:00 PM, five named accused persons including the appellants came and fired at her house and when police came they fled from the place of occurrence firing.

5. Learned counsel for the appellants submits that appellants have been falsely implicated in the instant case by the informant. It is next submitted that on account of dispute amongst the children, an altercation had taken place, but neither side assaulted each other. It is next submitted that in order to give seriousness to the case, it is alleged that side of the appellants fired, but then no one was injured in the firing, which amply demonstrates the falsity of the allegation, it is next



submitted that this perhaps explains why informant despite receiving notice chooses not to appear and contest.

6. Learned Spl. P.P. for the State opposes the appeal.

7. In view of the submissions made by the learned counsel for the appellants, the order dated 03.03.2025 in A.B.P. No. 653 of 2025 passed by the learned Exclusive Special Judge S.C./S.T. (POA) Act, Patna in connection with Mokama P.S. Case No. 15 of 2025, **is hereby set aside** and the appellants above-named, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 5,000/- (Rupees Five Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Mokama P.S. Case No. 15 of 2025 subject to the conditions as laid down under Section 482 (2) of the BNSS.

8. Accordingly the appeal stands allowed.

(Satyavrat Verma, J)

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