

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL APPEAL (SJ) No.1375 of 2025**

Arising Out of PS. Case No.-404 Year-2024 Thana- AMAS District- Gaya

1. Bulu Yadav S/o Late Ram Kishun Yadav Resident Of Village- Karwayan, P.S.- Amas, District- Gaya
2. Modan Yadav @ Madan Yadav S/o Bhagirath Yadav @ Bhagirathi Yadav Resident Of Village- Karwayan, P.S.- Amas, District- Gaya
3. Manoj Yadav S/o Bhagirath Yadav @ Bhagirathi Yadav Resident Of Village- Karwayan, P.S.- Amas, District- Gaya
4. Prince Yadav S/o Madan Yadav @ Modan Yadav Resident Of Village- Karwayan, P.S.- Amas, District- Gaya

... .. Appellant/s

Versus

1. The State of Bihar
2. Ramashish Paswan S/o Late Mathura Paswan R/o vill - Gopalpur, P.s.- Sherghati, Distt.- Gaya

... .. Respondent/s

**Appearance :**

For the Appellant/s : Mr. Md. Javed Jafar Khan, Advocate  
For the Respondent/s : Mr. Binay Krishna, Special PP

**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA**  
**ORAL ORDER**

5      28-01-2026                      1. Heard learned counsel for the appellants and  
learned Spl. P.P. for the State, Mr. Binay Krishna.

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 27.02.2025 in A.B.P. No. 48 of 2025 passed by the learned Exclusive Special Judge S.C./S.T. (POA) Act, Gaya in connection with Amas P.S. Case No. 404 of 2024 registered for



the offences punishable under Sections 126(2), 115(2), 117, 352 and 351(2) of the BNS, 2023 as well as Sections 3(1)(r) and 3(1)(s) of the SC/ST Act.

3. The learned Special PP for the State, at the outset, submits that in compliance of the order dated 11.11.2025, the Senior Superintendent of Police, Gaya was requested to inform the informant about pendency of the appeal through the concerned police station. It is next submitted that from perusal of Letter No. 1576 dated 19.12.2025 issued by the Senior Superintendent of Police, Gaya, it would manifest that information has already been given to the informant about the instant appeal, but then no one appears on behalf of the informant to contest the case.

4. Learned counsel for the appellants submits that appellants are persons with clean antecedent and the informant alleges that accused persons including the appellants came to his house on 28.11.2024 at 11:00 PM and abused and assaulted him while Manoj assaulted by lathi causing fracture of left hand.

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 allegation of abuse and assault is general and omnibus in nature though it is alleged that



Manoj assaulted causing fracture of left hand of the informant, but then there is no injury report on record nor the order impugned records about any injury. It is also submitted that even presuming what has been alleged is true without admitting then entire occurrence took place at the house of the informant, as such, was not in public view hence rigors of Section 18 of the SC/ST Act would not apply. It is also submitted that since no injury was suffered by the informant, as such, it appears that 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 27.02.2025 in A.B.P. No. 48 of 2025 passed by the learned Exclusive Special Judge S.C./S.T. (POA) Act, Gaya in connection with Amas P.S. Case No. 404 of 2024, **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) each 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  
Amas P.S. Case No. 404 of 2024 subject to the conditions as  
laid down under Section 482 (2) of the BNSS.

8. Accordingly, the appeal stands allowed.

(Satyavrat Verma, J)

Rishabh/-

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