

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1426 of 2026**

Arising Out of PS. Case No.-340 Year-2025 Thana- DIDARGANJ District- Patna

Yuvraj Kumar @ Vibhishan Kumar S/o Late Ramesh Rai R/o Village -
Nijampur, P.S. - Didarganj, Distt. - Patna.

... .. Appellant/s

Versus

1. The State of Bihar
2. Indrajeet Kumar S/o Shri Parmanand Bhagat R/o Village - Rampur
Shyamchand, P.S. - Raghapur, Dist. - Vaishali. At present, R/o Village -
Nijampur, P.S. - Didarganj, Distt. - Patna.

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Jay Ram Prasad
For the Respondent/s : Ms. Usha Kumari 1

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

4 12-05-2026 Heard the learned counsel for the petitioner, the

learned Spl. PP for the State and the learned counsel for the

informant.

2. The present appeal has been preferred for setting
aside the order dated 02.03.2026 passed by the learned
Exclusive Special Judge (SC/ST Act) Patna in Special Case No.
561 of 2025 arising out of Didarganj P.S. Case No. 340 of 2025,
registered for the offences punishable under Sections 191(2),
115(2), 126(2), 326(g) of the Bharatiya Nyaya Sanhita, 2023
and Section 3(1)(r)(s) of the SC/ST (Prevention of Atrocities)
Act, whereby the prayer for regular bail of the appellant was
rejected.

3. The prosecution case, in brief, is that the informant,
belonging to the Scheduled Caste/Scheduled Tribe community,



alleged that the appellant along with other co-accused persons committed assault, forcibly evicted the informant and his family members from their house, sprinkled petrol, set the house on fire, and looted articles. The appellant is stated to have participated along with the co-accused persons in the alleged occurrence. It is further alleged that an earlier altercation had taken place between the parties, in respect of which the informant had also lodged a case being Didarganj P.S. Case No. 209 of 2025.

4. Learned counsel for the appellant submits that the appellant has been falsely implicated in this case. It is further submitted that the allegations against the appellant are general and omnibus in nature and no specific overt act has been attributed to him. It is also submitted that during investigation, no independent witness has supported the allegations against the appellant and no incriminating material has been found against him. It is further submitted that the appellant has been implicated merely on suspicion of being part of a mob and that the essential ingredients of the offences under the SC/ST (Prevention of Atrocities) Act are not attracted against him, as there is no allegation of intentional caste-based insult or abuse in public view.

5. The learned Special PP for the State and the learned



counsel for informant have vehemently opposed the prayer for bail on behalf of the appellant. It is submitted on behalf of informant that Didarganj P.S. Case No. 340 of 2025 was instituted on 15.10.2025 in connection with an occurrence dated 13.10.2025, wherein the appellant, along with about 20 co-accused persons, allegedly reached the residence of the informant, committed assault, set fire to the house, looted articles lying at the place of occurrence and also demolished the boundary wall and removed bricks, steel rods, rings and cement. It is alleged that the appellant played a leading role in the said occurrence.

6. It is further submitted that the accused persons, including the appellant, had earlier also assaulted the informant, in connection with which Didarganj P.S. Case No. 209 of 2025 was registered, wherein informant sustained grievous injuries requiring hospitalization. The accused persons have been continuously threatening the informant and his family members with dire consequences, including murder.

7. It is further alleged that the appellant is part of an organized group of criminal elements of village Nizampur, P.S. Didarganj, who are engaged in extortion and are interfering with construction activities on the land of the employer of informant situated at Mouza Sabalpur with the object of demanding money



and creating terror. The appellant and his associates are alleged to be habitually involved in such criminal activities affecting public order and peaceful possession of property.

8. It is also submitted that apart from the present case, multiple criminal cases are pending against the appellant and his associates, namely: (a) **Didarganj P.S. Case No. 355 of 2025;** (b) **Didarganj P.S. Case No. 209 of 2025;** (c) **Didarganj P.S. Case No. 358 of 2025;** (d) **Didarganj P.S. Case No. 81 of 2026** dated 02.04.2026.

9. It is further submitted that the accused persons, including the appellant, are involved in a pattern of organised criminal activities including extortion, intimidation, and repeated violent acts, thereby posing a serious threat to law and order in the locality. The appellant and his group are alleged to be preventing lawful use and development of land belonging to the employer of informant and are attempting to forcibly dispossess him.

10. It is lastly submitted that the appellant, being a habitual offender with multiple serious criminal cases against him, does not deserve the privilege of bail and the appeal is liable to be rejected.

11. Having considered the rival submissions and upon careful perusal of the material available on record, this Court



finds that the allegations against the appellant are serious in nature involving violence, arson, and criminal intimidation. The appellant is also shown to be involved in several other criminal cases of similar nature, reflecting a pattern of habitual criminal activity. The possibility of the appellant influencing witnesses and repeating similar offences cannot be ruled out at this stage.

12. In view of the gravity of the allegations, the criminal antecedents of the appellant, and the overall facts and circumstances of the case, this Court is not inclined to grant the privilege of regular bail to the appellant.

13. Accordingly, the present appeal stands dismissed.

14. It is made clear that any observation made herein is *prima facie* in nature and limited solely for the purpose of adjudication of the present bail application. Such observations shall not be construed as an expression on the merits of the case and shall not influence the trial or any other proceedings in any manner.

(Sandeep Kumar, J)

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