

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1580 of 2025

Arising Out of PS. Case No.-562 Year-2024 Thana- WAJIRGANJ District- Gaya

Sarupan Yadav @ Sarupam Yadav @ Saspan Yadav S/o Baleshwar Yadav R/o
Village- Dedaur, P.S.- Wazirganj, District- Gaya

... .. Appellant/s

Versus

1. The State of Bihar Bihar
2. Rajesh Kumar S/o Kuldeep Yadav R/o Village- Dedaur, P.S.- Wazirganj,
District- Gaya

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Vishwa Ranjan Choudhary
For the Respondent/s : Mr. Sadanand Paswan

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

7 30-04-2026 1. Heard learned counsel for the appellant and the
learned Special P.P. for the State. No one appears on behalf of
the respondent no.2.

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 21.03.2025 in A.B.P. No. 74/2025, arising out of
Wazirganj P.S. Case No.562/2024, passed by the learned
Exclusive Special Judge, SC/ST, Gaya registered under Sections
126, 115(2), 303(2), 109, 118, 352, 351(2), 3(5) of the BNS,
2023 and Sections 3(i)(r), 3(1)(s) of the SC/ST Act.



3. Learned counsel for the appellant submits that informant despite receiving notice chooses not to appear and contest. It is next submitted that appellant has antecedent of one case and the informant alleges that on 10.08.2024 at 4 P.M. when he was going to Tarwa bazar, when all the accused persons intercepted him near the house of Rambali Manjhi and Dhanu gave order to Ajay and Sanjay to kill him, on which, Ajay assaulted the informant by tangi on head causing injury, thereafter Sanjay assaulted him by an iron rod causing injury on hand, while Komal and appellant on point of pistol, snatched the chain from his neck and took out Rs.7030/- from his pocket and when Bablu Manjhi tried to intervene, the accused abused him by taking caste name and also threatened of dire consequences and assaulted him by rod and khanti.

4. Learned counsel for the appellant submits that appellant has been falsely implicated in the instant case by the informant. It is next submitted that the FIR does not even remotely suggest the reason for the occurrence. It is also submitted that even presuming what has been alleged is true without admitting then the allegation of assault and abuse is not alleged against the appellant rather appellant is alleged to have snatched Rs.7030/- from the pocket of the informant, the said



allegation is ornamental in nature and this perhaps explains why the informant despite receiving notice chooses not to appear and contest.

5. Learned Special Public Prosecutor opposes the appeal.

6. Considering the submissions, the order impugned is set aside and the appellant, above named, in the event of his arrest or surrender within a period of six weeks from the date of receipt of the order, be released on anticipatory bail on furnishing bail bond 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 in connection with the aforesaid case, subject to the conditions as laid down under Section 482(2) of the BNSS.

7. Accordingly, the impugned order is set aside and this appeal stands allowed.

(Satyavrat Verma, J)

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