

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1918 of 2025

Arising Out of PS. Case No.-348 Year-2024 Thana- TEKARI District- Gaya

1. Balbant Kumar @ Balvant Kumar S/o- Vidyapati Singh Resident of Village- Joganiur PS- Tekari Dist-Gaya
2. Mahendra Prasad S/o- Ramswarup Mahto Resident of Village- Joganiur PS- Tekari Dist-Gaya
3. Ramesh Prasad S/o- Ramratan Singh Resident of Village- Joganiur PS- Tekari Dist-Gaya
4. Dinesh Prasad Singh S/o- Ramratan Prasad Singh Resident of Village- Joganiur PS- Tekari Dist-Gaya
5. Jitendra Prasad @ Hintendra Prasad S/o- Kailash Prasad Resident of Village- Joganiur PS- Tekari Dist-Gaya
6. Chintu Kumar S/o- Vidyapati Singh Resident of Village- Joganiur PS- Tekari Dist-Gaya
7. Dhananjay Kumar @ Dhananjay Prasad S/o- Yadunandan Prasad Resident of Village- Joganiur PS- Tekari Dist-Gaya
8. Sandip Kumar S/o- Surendra Singh Resident of Village- Joganiur PS- Tekari Dist-Gaya
9. Rajeev Ranjan @ Rajiv Kumar S/o- Satyendra Prasad Resident of Village- Joganiur PS- Tekari Dist-Gaya
10. Satish Saurabh @ Satish Kumar S/o- Dhananjay Prasad Resident of Village- Joganiur PS- Tekari Dist-Gaya
11. Mukesh Kumar S/o- Awadhesh Prasad Resident of Village- Joganiur PS- Tekari Dist-Gaya
12. Ravi Ranjan Kumar Ravi @ Ravi Ranjan Kumar S/o- Madheshwar Prasad Resident of Village- Joganiur PS- Tekari Dist-Gaya
13. Avinash Kumar S/o- Surendra Singh Resident of Village- Joganiur PS- Tekari Dist-Gaya

... .. Appellant/s

Versus

1. The State of Bihar
2. Bhagwan Paswan S/o- Late Yadu Paswan Resident of Village- Joganiur PS- Tekari Dist-Gaya

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Arvind Kumar, Advocate
For the Respondent/s : Mr. Usha Kumari 1, Spl PP

CORAM: HONOURABLE MR. JUSTICE PRAVEEN KUMAR



ORAL ORDER

3 13-02-2026 Heard learned counsel for the appellants and learned Special Public Prosecutor appearing for the State. Although the notice has been validly served upon respondent No.2, there is no representation on his behalf.

2. This appeal under Section 14A(2) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 has been directed against the order dated 05.03.2025 passed in A.B.P. No. 35 of 2025 by learned Exclusive Special Judge, SC/ST (P.O.A.) Act, Gaya, in connection with Tekari P.S. Case No. 348 of 2024 registered under Sections 127(1), 115(2), 74, 351, 352 and 3(5) the B.N.S. read with Section 3(1)(r)(s) of Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989, whereby the prayer for grant of anticipatory bail of the appellants has been rejected.

3. As per the prosecution case, when the son-in-law of the informant reached near Dangi Chauraha then 8-10 persons of Dangi community came and started assaulting him due to which he sustained injury on his head. When the son of the informant, namely, Sandeep Kumar reached to rescue him, all the accused persons caught him and assaulted on his leg and also assaulted Vidya Devi due to which she sustained head injury.



4. Learned counsel appearing for the appellants submits that the appellants bear clean antecedent and have falsely been implicated in this case. He further submits that it appears from the F.I.R. itself that there is general and omnibus allegation against all the appellants. It is also submitted that the appellant side has lodged an FIR bearing Tekari P.S. Case No. 347 of 2024 against the prosecution party which is prior to the lodging of the present FIR in which the appellant side also received injuries. He further submits that no case, as alleged in the F.I.R, attracting rigours of SC & ST Act, is made out against the appellants. Hence, the impugned order may be set aside and the appellants may be granted the privilege of anticipatory bail.

5. Learned Special Public Prosecutor for the State has vehemently opposed the prayer for grant of anticipatory bail to the appellants.

6. Considering the entire facts and circumstances of the case and also the fact that the appellants bear clean antecedent coupled with the fact that there is general and omnibus allegation against the appellants, let the above named appellants, in the event of their arrest/surrender within a period of six weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of the like



amount each to the satisfaction of learned Exclusive Special Judge, SC/ST (P.O.A.) Act, Gaya, in connection with Tekari P.S. Case No. 348 of 2024 subject to the conditions laid down under Section 482(2) of the B.N.S.S/Section 438(2) of the Cr.P.C.

7. Accordingly, this appeal is allowed and the impugned order dated 05.03.2025 rejecting the prayer for grant of anticipatory bail to the appellants is set aside.

(Praveen Kumar, J)

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