IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1866 of 2026

CNR No. BRHC010484052026

Arising Out of PS. Case No.-167 Year-2026 Thana- KHAJEKALA District- Patna

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1. Anjit Yadav S/o Ranjit Yadav R/o Mohalla - Lala Toli, Mogalpura, Khajekala, Dist. - Patna.
2. Ranjit Yadav S/o Late Rajendra Yadav R/o Mohalla - Lala Toli, Mogalpura, Khajekala, Dist. - Patna.

... ... Appellant/s

Versus

1. The State of Bihar Bihar
2. Shankar Kumar @ Gouri S/o Late Parmeshwar Chaudhary R/o Mohalla - Mogalpura, Lala Toli(Pakki Goraya), Ward no. 60, Mogalpura, P.S. - Khajekala, Dist. - Patna.

... ... Respondent/s

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Appearance :
For the Appellant/s : Mr.Bhim Sen Prasad, Advocate
For the Respondent/s : Mr.Chandra Bhushan Prasad,APP

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA

ORAL ORDER

5 29-10-2026 1. Heard learned counsel for the appellants, learned A.P.P. for the State Mr. Chandra Bhushan Prasad.

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 22.04.2026 passed by the learned Exclusive Special Judge S.C./S.T. (POA) Act, Civil Court Sadar, Patna in connection with Khajekala P.S. Case No. 167 of 2026 registered

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for the offences punishable under Sections 126(2), 115(2), 351(2), 352 and 3(5) of the BNS as well as Sections 3(i)(r)(s) of the SC/ST Act.

3. Learned counsel for the appellants submits that fropm perusal of the office report, it would manifest that the notice has been validly served on the informant, but informant despite receiving chooses not to appear and contest.

4. Learned counsel for the appellants submits that appellants are persons with clean antecedent and the informant alleges that on 04.03.2026 appellants along with Karan abused the informant and others by taking caste name on 04.03.2026, further on 06.03.2026 the accused persons including the appellants again abused by taking caste name and appellant No. 1 assaulted the informant by an iron rod causing injury on head and appellant No. 2 along with Karan assaulted informant's son and brother and the injured were treated at Guru Govind Singh Hospital.

5. Learned counsel for the appellants submits that the appellants have been falsely implicated in the instant case by the informant, it is next submitted that appellant No. 1 is son of appellant No. 2 and there is a case and a counter case between the parties as appellant No. 2 herein instituted Khajekala PS

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Case No. 168 of 2026 against the informant and his side, it is further submitted that the allegation as alleged in the FIR does not even remotely suggest the reason for the occurrence, it is further submitted that appellants and the informant are neighbours and having dispute relating to passage, as such, an altercation had taken place in which both sides had assaulted each other, but then the occurrence did not take place on account of the fact that informant belongs to SC community, it is next submitted that even injury suffered by the injured has been opined to be simple in nature and this perhaps explains why the informant despite receiving notice chooses not to appear and contest.

6. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the appellants.

7. Considering the aforesaid facts, let the appellants above-named, in the event of their arrest or surrender 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 trial court where the case is pending/successor court in connection with the aforesaid case, subject to the conditions as laid down under Section 482 (2) of the BNSS.

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

(Satyavrat Verma, J)

Nitesh/-

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