

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1959 of 2025

Arising Out of PS. Case No.-9 Year-2019 Thana- SC/ST District- Khagaria

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1. Sanjay Kumar @ Sanjay Yadav S/O Late Uchit Yadav Resident of Village- Bartar, P.S- Alauli, District- Khagaria.
 2. Ravindra Yadav @ Ravindra Kumar S/O Late Uchit Yadav Resident of Village- Bartar, P.S- Alauli, District- Khagaria.
 3. Rajeev Kumar @ Rajeev Yadav S/O Late Uchit Yadav Resident of Village- Bartar, P.S- Alauli, District- Khagaria.

... .. Appellant/s

Versus

1. The State of Bihar
2. Hare Ram Rajak S/O Lakhon Rajak R/o Village- Bartar, P.S- Alauli, Distt.- Khagaria.

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Rahul Singh, Advocate

For the Respondent/s : Mr. Sadanand Paswan, Spl PP

CORAM: HONOURABLE MR. JUSTICE PRAVEEN KUMAR
ORAL ORDER

5 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 Caste and Scheduled Tribes (Prevention of Atrocities) Act, 1989 has been directed against the order dated 06.05.2025 passed by learned Special Judge (SC/ST Act), Khagaria, in A.B.P. No. 26 of 2025 in connection with SC/ST P.S. Case No. 09 of 2019, registered under Sections 147, 341,



323, 385, 379, 354(B), 504, 506/34 the I.P.C. read with Section 3(1)(r)(s)(2) of Scheduled Castes and Scheduled Tribe (Prevention of Atrocities) Act, whereby the prayer for grant of anticipatory bail of the appellant has been rejected.

3. As per the prosecution case, on 27.05.2019 at about 7:00 A.M., Sanjay Yadav (appellant no. 1) Ravindra Yadav (appellant no. 2) and Rajeev Yadav (appellant no. 3) accompanied by 10 unknown persons, formed an unlawful assembly in front of the informant's house. Subsequently, a dispute erupted regarding a sum of Rs. 50,000/- which was previously advanced by the accused to the informant. When the informant, namely, Hare Ram Rajak, expressed his financial inability to settle the debt then the situation escalated and the accused persons forcibly entered the house of the informant and assaulted the wife and daughter-in-law of the informant and hurled caste-based slurs at the informant. When the son of the informant, namely, Dipak intervened to mediate the situation, the accused persons on the point of pistol took away Rs. 50,000/- from the box along with several gold ornaments from the house of the informant.

4. Learned counsel appearing for the appellants submits that the appellants bear clean antecedent and are



innocent. Learned counsel submits that there is a land dispute between the parties and, in fact, the appellants have themselves given land to the informant out of generosity and no such alleged occurrence took place as alleged in the FIR. It is further submitted that there is a delay of two days in lodging the FIR without giving any plausible reason for the same. As regards allegation of abuse with the caste name attracting the rigours of SC & ST Act is concerned, it is not committed in a public place nor any person has been named to be present at the place of occurrence when the alleged offence of abuse was being committed. 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 appellant.

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 a delay of two days in lodging the FIR, 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 the learned Special Judge (SC/ST Act), Khagaria, in connection with SC/ST P.S. Case No. 09 of 2019, 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 06.05.2025 rejecting the prayer for grant of anticipatory bail to the appellants is, hereby, set aside.

(Praveen Kumar, J)

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