

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.2019 of 2026

Arising Out of PS. Case No.-384 Year-2025 Thana- BHARGAMA District- Araria

Mukesh Yadav S/O Biren Yadav @ Virendra Yadav R/O Village- Arraha,
Ward No. 03, P.S.- Forbesganj, Dist.- Araria.

... .. Appellant/s

Versus

1. The State of Bihar
2. Surujmuni Devi W/O Late Ramnarayan Hembrum R/O Village- Santhal
Tola, Ward No. 04, P.S.- Bhagama, Distt.- Araria.

... .. Respondent/s

Appearance :

For the Appellant	:	Mr. Kundan Kumar Singh, Advocate
For the State	:	Mr. Sadanand Paswan, Spl.PP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 16-07-2026 Heard learned counsel appearing for the appellant and

learned Special Public Prosecutor appearing for the respondent-

State.

2. This appeal has been filed for setting aside order dated 11.12.2025 passed in a case registered for the offence punishable under Sections 103(1), 303(2) and 3(5) of the B.N.S. and Sections 3(1)(r)(s) and 3(2)(v) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, whereby the prayer for grant of bail to the appellant has been rejected.

3. As per prosecution case, it is alleged that on 11.12.2025, three unknown accused persons came and snatched cattle from brother-in-law of informant and upon objectoin, they



assaulted him due to which he died.

4. It is submitted by learned counsel appearing on behalf of the appellant that appellant is quite innocent and has committed no offence. Informant is not an eye witness to the occurrence. Appellant is not named in the F.I.R.. Name of appellant transpired in this case during investigation merely on the basis of confessional statement of co-accused person. Save and except confessional statement there is no material on record to show the complicity of this appellant in the alleged occurrence. In this case, after detailed investigation, the police submitted charge-sheet and thereafter, the learned trial court did not find any material for offence under the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act and took cognizance for the offence punishable under Sections 103(1), 303(2) and 3(5) of the B.N.S.. Appellant has got no criminal antecedents and he is in custody since 18.12.2025.

5. Learned Spl. P.P. appearing for the respondent-State has vehemently opposed the prayer for grant of bail to the appellant.

6. Considering the facts and circumstances of the case, general and omnibus nature of accusation, period of custody and clean antecedents of the appellant, this appeal is



allowed and the impugned order dated 11.12.2025 passed by the learned 1st Additional Sessions Judge-cum-Special Judge, Araria in connection with Bhargama P.S. Case No. 384 of 2025 is hereby set aside with respect to this appellant only.

7. Accordingly, let the appellant, named above, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned 1st Additional Sessions Judge-cum-Special Judge, Araria in connection with Bhargama P.S. Case No. 384 of 2025.

(Prabhat Kumar Singh, J)

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