

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.2843 of 2025

Arising Out of PS. Case No.-15 Year-2025 Thana- Dhobaha District- Bhojpur

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1. Munna Yadav S/o Jagan Yadav R/o Vill.- Salempur, PS- Dhobahan, Distt.- Bhojpur
 2. Gorak Yadav @ Sanoj Kumar Yadav @ Gorakh Yadav @ Sanoj Yadav S/o Raghubir Yadav @ Bira Yadav R/o Vill.- Salempur, PS- Dhobaha, Distt.- Bhojpur

... .. Appellant/s

Versus

1. The State of Bihar
2. Suraj Kumar S/o Bharat Ram R/o Vill.- Salempur, PS- Dhobaha, Distt.- Bhojpur

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr.Shiv Prasad Gupta
For the Respondent/s	:	Mr.Binay Krishna
		Mr.Vishwanand Upadhyay

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 04-05-2026 1. Heard the learned counsel for the appellants, the learned Special Public Prosecutor for the State and the learned counsel appearing on behalf of the informant.

2. The appellants have challenged the order dated 12.06.2025 passed by the learned 1st Additional Sessions Judge-cum-Special Judge, SC/ST Act, Bhojpur at Ara in connection with ABP No.1533 of 2025 arising out of Dhobaha P. S. Case No.15 of 2025, instituted for the offences under Sections 192(2), 191(2), 191(3), 190, 126(2), 115(2), 74, 75, 109(1), 303(2), 352, 351(2)(3) of the B.N.S., Section 27 of the Arms Act and Section



3(i)(r)(s), 3(ii)(va) of the Scheduled Castes & Scheduled Tribes (Prevention of Atrocities) Act, 1989, whereby their prayer for grant of anticipatory bail has been rejected.

3. The learned counsel appearing on behalf of the appellants submits that appellant no.1 has antecedent of two cases and appellant no.2 is a person with clean antecedent and the informant alleges that on 04.02.2025 at 2.30 P.M. Tannu was going to the field to attend the call of nature, when Bhim held her cheeks, on protest he abused by taking caste name and Tunna pulled her arms. Accordingly, the informant with his family members went to the house of the aforesaid two accused persons when seven named accused persons including the appellants came and Upendra assaulted Mahendra by rod causing injury on head who fell and became unconscious, thereafter Munna (appellant no.1) assaulted Vikash by danda causing injury on head. Further, Nitu Yadav assaulted Indal by danda thereafter Surendra assaulted Soni by danda causing injury on shoulder. Further, Bhola assaulted Pushpa by danda causing injury on shoulder and neck and Nagendra assaulted informant by danda causing injury on head. It is next alleged that Shankar and Ravi came and started firing and the injured were taken to hospital.



4. The learned counsel for the appellants submits that appellants have been falsely implicated in the instant case by the informant. It is next submitted that thrust of the allegation of acting inappropriately with Tannu is against Bhim and Tunna. It is further submitted that informant along with his family members had gone to the house of the two accused persons when the occurrence is alleged to have taken place and Munna is alleged to have assaulted Vikash by danda causing injury on head, but then as far as appellant no.2 is concerned, the allegation against him is general and omnibus in nature.

5. The learned Special P.P. as well as the learned counsel appearing on behalf of the informant opposes the appeal. The learned counsel appearing on behalf of the informant submits that Munna has antecedent of two cases and is alleged to have assaulted Vikash by danda causing injury on head but then is not in a position to rebut the submission of the learned counsel appearing on behalf of the informant that no specific allegation of assault or abuse is alleged against the appellant no.2.

6. After hearing the learned counsel for the parties, the appeal is partly allowed, the order is partly set aside with respect to appellant no.2.



7. **The appellant no.2**, above-named, in the event of his arrest or surrender before the learned Court below within a period of eight weeks, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs.5,000/- (Rupees Five Thousand) each with two sureties of the like amount each to the satisfaction of learned 1st Additional Sessions Judge-cum-Special Judge, SC/ST Act, Bhojpur at Ara in connection with ABP No.1533 of 2025 arising out of Dhobaha P. S. Case No.15 of 2025, subject to the conditions laid down under Section 482(2) of the B.N.S.S.

8. So far as appellant no.1 is concerned, the Court is not inclined to extend the privilege of anticipatory bail to the appellant no.1.

9. The prayer of the **appellant no.1** for anticipatory bail stands rejected.

(Satyavrat Verma, J)

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