

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.2905 of 2025

Arising Out of PS. Case No.-344 Year-2025 Thana- DAUDNAGAR District- Aurangabad

1. Ravindra Yadav @ Ravindra Kumar son of Late Rameshwar Yadav Village- Chakku Bigha PS -Daudnagar District -Aurangabad
2. Rakesh Kumar Son of Rajendra Yadav Village- Chakku Bigha PS -Daudnagar District -Aurangabad
3. Nitish Kumar Son of Rajendra Yadav Village- Chakku Bigha PS -Daudnagar District -Aurangabad
4. Rajesh Kumar @ Rajesh Ranjan son of Rajendra Yadav Village- Chakku Bigha PS -Daudnagar District -Aurangabad

... .. Appellant/s

Versus

1. The State of Bihar
2. Phool Kumari Wife of Luxman Ram Village -Manaar Tola Shiv Chara Bigha PO -Gaini PS- Daudnagar District- Aurangabad

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Rakesh Singh
For the Respondent/s : Mr. Usha Kumari 1

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

4 23-02-2026 1. Heard learned counsel for the appellants and learned Additional Public Prosecutor for the State.

2. An order, dated 30.06.2025, passed by learned District and Additional Sessions Judge-1st-cum-Special Judge (SC/ST, NDPS, Children Court), Aurangabad, in ABP No. 1489 of 2025, is under challenge in the present appeal preferred under Section 14-A (2) of the Schedule Caste and Schedule Tribes (Prevention of Atrocities) Act, 1989, whereby the anticipatory bail application of the appellant in connection with Daudnagar



Police Station Case No. 344 of 2025 registered for the offence punishable under Sections 109, 190, 191(2), 126(2), 115(2), 117(2), 352, 351(2) of the BNS, 2023 and Section 3 (1)(r), 3(1)(s), 3(2)(va) of the Schedule Caste/Schedule Tribe (Prevention of Atrocities) Act, has been rejected.

3. As per the FIR, on 21.05.2025, in the afternoon, while the informant's son was returning after attending his school, some boys assaulted him upon which the informant went before the guardian of those boys for lodging a complaint. The appellants along with other accused persons, total seven in number, started mocking the informant, called by her caste name and the co-accused Sunil Yadav also made derogatory remarks against the informant. Subsequently, thereafter, informant returned back to her home. After one hour, another set of accused persons named in the FIR from Accused Nos. 8 to 16 arrived at the house of the informant, abused her and assaulted father-in-law of the informant, causing injury. They also assaulted Beauty Kumari, causing injury and also assaulted the family members of the informant.

4. Learned counsel for the appellants submits that appellants have been made accused due to quarrel between the children. A counter case has been lodged by the side of the



appellants against the informant and others bearing Daudnagar PS case No. 325 of 2025. There is no specific allegation of assault and calling by caste name to the informant against the appellants. A specific allegation of caste slur is against Sunil Yadav. The second set of accused in the FIR, i.e., from Accused Nos. 8 to 16, belong to the members of the SC/ST community. The injuries sustained by the victims are simple in nature, as would be evident from the injury report. The appellants side have also sustained injury in the scuffle.

5. On the other hand, Mr. Shashi Bhushan Upadhyaya, learned counsel for the O.P. No. 2 and Mr. Nawal Kishore, learned counsel appearing for the State opposes the prayer for bail and submits that the appellants are named in the FIR and there is allegation of assault, as well as calling the informant and her son by caste name.

6. Having regard to the submissions made on behalf of the parties and taking into consideration the nature of allegation and the fact that there is no specific allegation against the appellants calling the informant by her caste name or assaulting the family members of the informant and the fact that the injuries sustained by the victims are simple in nature, I am inclined to grant the appellants privilege of anticipatory bail.



7. This appeal is, accordingly, allowed and the order, dated 30.06.2025, passed by learned District and Additional Sessions Judge-1st-cum-Special Judge (SC/ST, NDPS, Children Court), Aurangabad, in ABP No. 1489 of 2025, is set aside.

8. Let the appellants, above named, in the event of their arrest or surrender before the Court below within four 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 District and Additional Sessions Judge-1st-cum-Special Judge (SC/ST, NDPS, Children Court), Aurangabad, in connection with Daudnagar Police Station Case No. 344 of 2025, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure/Section 482(2) of the BNSS, 2023.

(Anil Kumar Sinha, J)

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