

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL APPEAL (SJ) No.3341 of 2025**

Arising Out of PS. Case No.-44 Year-2025 Thana- SC/ST District- Siwan

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1. Ankit Kumar S/o Panchanand Choudhary Resident of Vill.- Chotpur, P.S.- Siwan Muffasil, Dist. - Siwan.
  2. Veerjan @Viranjan Yadav Son of Sajeetan Choudhary Resident of Vill.- Chotpur, P.S.- Siwan Muffasil, Dist. - Siwan.
  3. Upendra @ Upendra Yadav Son of Samraj Choudhary Resident of Vill.- Chotpur, P.S.- Siwan Muffasil, Dist. - Siwan.
  4. Jeetan Yadav Son of Late Heera Yadav Resident of Vill.- Chotpur, P.S.- Siwan Muffasil, Dist. - Siwan.
  5. Sajeetan Yadav @ Sachchidanand Yadav Son of Late Heera Yadav Resident of Vill.- Chotpur, P.S.- Siwan Muffasil, Dist. - Siwan.
  6. Nand Kumar Son of Jeetan Yadav Resident of Vill.- Chotpur, P.S.- Siwan Muffasil, Dist. - Siwan.
  7. Mahesh Yadav Son of Late Heera Yadav Resident of Vill.- Chotpur, P.S.- Siwan Muffasil, Dist. - Siwan.
  8. Ramnath Choudhary @ Ramnath Prasad @ Ramnath Yadav Son of Late Surat Yadav Resident of Vill.- Chotpur, P.S.- Siwan Muffasil, Dist. - Siwan.

... .. Appellant/s

Versus

1. The State of Bihar
2. Ramesh Manjhi Son of Late Indrasan Manji Resident of Vill.- Chotpur, P.S.- Siwan Muffasil, Dist. - Siwan.

... .. Respondent/s

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**Appearance :**

For the Appellant/s : Ms.Kumari Anupam  
For the Respondent/s : Mr.Binay Krishna

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**CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA**  
**ORAL ORDER**

- 5      16-04-2026      1. At the very outset, learned counsel for the appellants submits that during pendency of this application the appellant no. 4 -Jeetan Yadav has been arrested.
2. Accordingly, this application is dismissed as infructuous qua the appellant no. 4-Jeetan Yadav.



3. Heard the parties.

4. This appeal is directed against the order dated 11.07.2025 passed in ABP No. 1778 / 2025 arising out of SC/ST P.S. Case No. 44 / 2025 registered u/s 126(2), 115(2), 117(2), 74, 303(2), 352, 351(2), 3(5) of BNS, 2023 & Section 3 (i) (r)(s) (w), 3(2) (va) of SC/ST Act, whereby and where under anticipatory bail of the appellants has been rejected.

5. As per the F.I.R. on 24.05.2025 at about 7:30 P.M. in the evening while the informant was engaged in fixing the broken wire, Veerjan (appellant no. 2) and Nand Kumar (appellant no. 6) were rashly driving the motorcycle. When the informant told them to drive slowly in the village, they started abusing the informant and in the meanwhile the family members of those appellants arrived with 'lathi', 'danda', iron rod, 'khanti' along with 5-7 other persons. Sajeetan Yadav (appellant no. 5) abused by caste name and assaulted on the head of the informant by 'khanti'. When informant entered into his house, all the accused persons including the appellants also entered into the house, attacked the nephew of the informant and his wife. Jeetan Yadav (appellant no. 4) tore the blouse of informant's wife and Upendra and Ankit assaulted the brother of the informant.



6. Learned counsel for the appellants submits that both the parties are co-villagers and the occurrence has taken place on a trifle issue of rash driving of motorcycle in the village. Abuse by caste name was not in full public view inasmuch as at the time of occurrence it was dark and members of public were not present and further it was not with intention to humiliate or demean the status of the informant. Three persons have sustained injuries but all are simple in nature.

7. Learned counsel for the informant argued that there is specific allegation against the appellant no. 4 -Jeetan Yadav that he outraged the modesty of the informant's wife however he has been arrested and he is in custody. The other appellants are named in the F.I.R. who assaulted the informant and his family members causing injury to them.

8. Regard being had to the submission made by the parties, taking into consideration the the fact that both the parties are co-villagers, occurrence has taken on trifle issue of rashly driving the motorcycle, caste name was not taken in full public view with intention to humiliate the informant and his family members and the injuries are simple in nature, accordingly, I am inclined to grant anticipatory bail to the appellant nos. 1 to 3 & 5 to 8.



9. Accordingly, the order dated 11.07.2025 passed in ABP No. 1778 / 2025 arising out of SC/ST P.S. Case No. 44 / 2025 is hereby set aside. The appeal is allowed.

10. Let the appellant nos. 1 to 3 & 5 to 8, above named, be released on anticipatory bail in the event of arrest or surrender before the court below within a period of four weeks from today on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) each with two sureties of the like amount each to the satisfaction of learned A.D.J. I cum Special Court, Siwan in connection with SC / ST P.S. Case No. 44 / 2025 subject to the condition as laid down under Section 482 (2) of the B.N.S.S.

(Anil Kumar Sinha, J)

praful/-

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