

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.3304 of 2025

Arising Out of PS. Case No.-138 Year-2025 Thana- NAUHATTA District- Rohtas

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1. Lalu Yadav @ Lallu Yadav Son of Naresh Yadav @ Nresh Yadev Resident of Village -Dhanauti PS-Nauhatta District -Rohtas
 2. Raju Yadav son of Naresh yadav @ Nresh Yadev Resident of Village -Dhanauti PS-Nauhatta District -Rohtas

... .. Appellant/s

Versus

1. The State of Bihar
2. Bhola Nath Paswan Son of Late Chandrashekhar Paswan Resident of Village -Dhanauti PS-Nauhatta District -Rohtas

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr.Ashwani Kumar Tiwary
For the State	:	Mr.Sadanand Paswan
For the O. P. No. 2	:	Mr. Abhishek Singh Rathaur

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

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| 4 | 16-04-2026 | <ol style="list-style-type: none">1. Heard learned Counsel for the appellants, learned Counsel for the Opposite Party No. 2 and learned Additional Public Prosecutor for the State.2. An order, dated 21.07.2025 passed by learned Special Judge, SC/ST, Rohtas, at Sasaram, is under challenge in the present appeal preferred under Section 14-A(2) of the Scheduled Caste and Scheduled Tribes (Prevention of Atrocities) Act, 1989, whereby the anticipatory regular bail application of the appellant in connection with Nauhatta Police Station Case No. 138 of 2025, registered for the offences punishable under Sections |
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126(2)/115(2)/118(1)/352/351(2)/3(5) of the Bhartiya Nyaya Sanhita, 2023 and Sections 3 (i) r/3 (i) (s) of the Scheduled Caste and Scheduled Tribes (Prevention of Atrocities) Act, 1989, has been rejected.

3. The prosecution case, as per the First Information Report, is that on 29.04.2025, the wedding ceremony of the daughter of one Anklesh Yadav was going on, in which the informant and members of his community, were invited. While they were eating and were sitting on chairs for having dinner, the appellants, after seeing the informant and members of his community got agitated and started abusing them. The appellants brought lathis/dandas and started assaulting the informant and other members of his community. The appellants turned off the generator, assaulted them and also broke the bolero vehicle of the groom and its glass and also threatened to falsely implicated the informant and his community members in a false case.
4. Learned Counsel appearing on behalf of the appellants submits that the present First Information Report has been lodged as a counter blast to Nauhatta Police Station Case No. 137 of 2025, lodged against the informant and others,



registered under Sections 126(2)/115(2)/324(5)/352/351 (2)/3(5) of the Bhartiya Nyaya Sanhita, 2023, alleging therein that on 24.05.2025, while the marriage ceremony was going on, at about 3 AM, the informant and other accused persons arrived there with lathi/danda, started abusing and damaged the bolero vehicle of the groom and told that marriage procession would not be allowed to proceed on the hill top and they would not allow the marriage ceremony to be completed. The First Information Report lodged by the side of the appellants is prior in time to the present First Information Report. It has further been submitted that the scuffle between the parties took place on the ground of leading the marriage procession on a particular route. There was no intention to demean and humiliate the members of the Scheduled Caste community. Both are co-villagers and due to minor scuffle, simple injuries have caused to the side of the informant.

5. On the other hand, learned Counsel for the Opposite Party No. 2 vehemently opposes the prayer for bail and submits that the appellants are named in the First Information Report and they called the informant and



members of his community by their caste name.

6. Regards being had to the submissions advanced on behalf of the parties and taking into consideration the fact that both the parties are co-villagers, there is case and counter case between them, the case lodged by the side of the appellants is prior in time and the scuffle took place in the marriage ceremony of one Anklesh Yadav, I am inclined to grant the appellants privilege of anticipatory bail.
7. Accordingly, this appeal is allowed and the order, dated 21.07.2025, passed by learned Special Judge, SC/ST, Rohtas, at Sasaram, in connection with Nauhatta Police Station Case No. 138 of 2025, is set aside.
8. Let the appellants, above named, in the event of arrest or surrender before the learned District Court, be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Special Judge, SC/ST, Rohtas, at Sasaram, in connection with Nauhatta Police Station Case No. 138 of 2025.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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