

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.3438 of 2025

Arising Out of PS. Case No.-256 Year-2025 Thana- KARAKAT District- Rohtas

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1. Dabloo Yadav @ Rahul Kumar Son of Rang Bahadur Singh R/o Village - Sarvanand Dehri, P.S. - Karakat, Dist. - Rohtas (Sasaram).
 2. Buchan Yadav @ Babloo Kumar Son of Rang Bahadur Singh R/o Village - Sarvanand Dehri, P.S. - Karakat, Dist. - Rohtas(Sasaram).
 3. Birendra Yadav @ Birendra Singh Son of Late Ambika Singh R/o Village - Sarvanand Dehri, P.S. - Karakat, Dist. - Rohtas(Sasaram).
 4. Deepak Yadav @ Deepak Kumar Son of Sukar Yadav @ Sukar Singh R/o Village - Sarvanand Dehri, P.S. - Karakat, Dist. - Rohtas(Sasaram).
 5. Sachin Yadav @ Sachin Kumar Son of Rajaram Singh R/o Village - Sarvanand Dehri, P.S. - Karakat, Dist. - Rohtas(Sasaram).

... .. Appellant/s

Versus

1. The State of Bihar
2. Mukesh Kumar Son of Duryodhan Choudhary R/o Village - Kushi, P.S. - Karakat(Grari), Dist. - Rohtas.

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Uma Shankar Singh
For the Respondent/s : Mr.Binay Krishna

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

4 14-05-2026 1. Heard learned counsel for the appellants, learned
Spl. P.P. for the State, Sri Binay Krishna.

2. This is an appeal under Section 14-A(2) of the
Scheduled Castes and Scheduled Tribes (Prevention of
Atrocities) Act, 1989 (hereinafter referred to as the “SC/ST
Act”) against the refusal of prayer for anticipatory bail vide
order dated 8-5-2025 in passed by the learned District &
Additional Sessions Judge-17-cum-Special Judge S.C./S.T.



(POA) Act, Sasaram, Rohtas in connection with Karakat P.S. Case No. 256 of 2025 registered for the offences punishable under Sections 126(2), 115(2), 352, 351(2) and 3(5) of the BNS as well as Sections 3(1)(r) and 3(1)(s) of the SC/ST Act.

3. Learned counsel appearing on behalf of the appellants submits that from perusal of the office report dated 28-4-2026, it would manifest that the same records that notice has been validly served on the respondent no. 2, but then respondent no. 2 despite receiving notice chooses not to appear and contest. It is next submitted that appellants are persons with clean antecedent and the informant alleges that accused persons including the appellants came to his shop on 5-5-2025 at 6 pm and purchased a bed, but the payment was not made, on objection the accused persons made the payment, but later came and assaulted.

4. Learned counsel for the appellants submits that the appellants have been falsely implicated in the instant case by the informant. It is next submitted that from perusal of the allegations as alleged in the FIR, it would manifest that the same does not inspire confidence for the reason that it does not appear probable that had the appellants had no intention of making payment then merely on the objection of the informant,



appellants would not have made the payment. It is further submitted that there was a dispute with regard to price of the bed on which an altercation took place and thereafter the present false case came to be instituted. It is also submitted that even allegation of assault and abuse is not specific. It is thus submitted that this perhaps explains why respondent no. 2, despite receiving notice, chooses not to appear and contest.

5. Learned Spl. P.P. for the State opposes the prayer for anticipatory bail of the appellants.

6. Considering the aforesaid facts, let the appellants above-named, in the event of their arrest or surrender within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 5,000/- (Rupees Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with the aforesaid case, subject to the conditions as laid down under Section 482 (2) of the BNSS.

7. Accordingly, the impugned order is set aside and the appeal stands allowed.

(Satyavrat Verma, J)

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