

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.3504 of 2025

Arising Out of PS. Case No.-13 Year-2025 Thana- SC/ST District- Buxar

-
1. Sonu Kumar Singh @ Sonu Yadav @ Sonu Kumar Son of Bihari Yadav Resident of Village- Taranpur PS -Rajpur District- Buxar
 2. Chhotu Yadav @Manjit Kumar son of Jami Yadav Resident of Village- Saranaw, Ps- Rajpur, dist- Buxar
 3. Amit Kumar son of Srikant yadav @ Shrikant Singh Resident of Village- Trilochanpur, Ps- Rajpur, Dist- Buxar

... .. Appellant/s

Versus

1. The State of Bihar
2. Ashok Ram son of Late Vakil Ram Resident of Village- Bhaluha, PO- Hethua, Rajpur, PS- Rajpur, Dist- Buxar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Satyapal Singh, Advocate
For the State : Mr. Usha Kumari 1, Spl. PP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

4 23-02-2026 Heard the parties.

2. This appeal has been filed for setting aside the order dated 22.07.2025 passed by the learned District and Additional Sessions Judge-1st-cum-Special Judge SC/ST (P.O.A.) Act in connection with SC/ST Buxar P.S. Case No. 13 of 2025 registered for the offence punishable under sections 126(2), 115(2), 118(1), 109, 352, 351(2) and 3(5) of the B.N.S. and section 3(i)(r)(s) and 3(2)(va) of the SC/ST (P.O.A.) act whereby the prayer for anticipatory bail of the appellant has been rejected.



3. There is no appearance on behalf of the informant, notice has been validly served and duly signed by the informant Ashok Ram.

4. As per the prosecution story, the informant alleged that without any provocation the accused persons blocked his movement and assaulted. Allegation against Chulbul Yadav is of giving Tangi blow on the head of his son while taking caste name and when the villagers came to the rescue, they escaped. His son was taken to Primary Health Centre, Rajpur and then referred for better treatment. This led to the F.I.R..

5. Learned counsel for the appellants submit that a perusal of the F.I.R. would show that though presence of the appellants have been shown, allegation of assault and taking caste name is on Chulbul Yadav, these appellants have falsely been implicated.

6. Learned Spl. PP opposes the prayer submitting that their presence have been shown.

7. Considering the submissions of the parties as also the fact that the main role is against Chulbul Yadav, even the caste name was taken by him, these appellants have been assigned omnibus role of assault, in that background, this Court is inclined to extend them the privilege of anticipatory bail.



8. The impugned order dated 22.07.2025 passed by the learned District and Additional Sessions Judge-1st-cum-Special Judge SC/ST (P.O.A.) Act in connection with SC/ST Buxar P.S. Case No. 13 of 2025 stands set aside and the appeal is allowed.

9. Let the appellants, named above, in the event of arrest/surrender within a period of eight weeks from the date of receipt/production of a copy of this order, be enlarged 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 the learned District and Additional Sessions Judge-1st-cum-Special Judge SC/ST (P.O.A.) Act in connection with SC/ST Buxar P.S. Case No. 13 of 2025.

(i) one of the bailor should be the family member/relative of the appellant who shall provide official document (Aadhar Card/Voter Id/Driving License/Pan Card) to show his/her bona fide;

(ii) the appellant shall be appearing before the Police Station as and when required for cooperating in the investigation;

(iii) the appellant shall appear on each and every date before the Trial Court and failure to do so for two consecutive



dates without plausible reason will entail cancellation of his/her bail bond by the Trial Court itself;

(iv) the appellant shall appear before the concerned police station every month for next six months to mark his attendance and at the end of the period a certificate be submitted before the Trial Court failing which the State shall be at liberty to take steps for cancellation of bail bonds;

(v) the appellant shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(vi) the appellant shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of bail bonds.

(Rajiv Roy, J)

vinayak/-

U			
---	--	--	--

