

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.3700 of 2025

Arising Out of PS. Case No.-15 Year-2025 Thana- Dhobaha District- Bhojpur

Bihul Yadav @ Bidhur Yadav @ Ravinder Yadav @ Vidur Yadav Son of
Jagan Yadav Resident of Village- Salempur, PS - Dhobaha, Dist- Bhojpur
... .. Appellant/s

Versus

1. The State of Bihar
2. Suraj Kumar son of Bharat Ram Resident of Village- Salempur, PS-
Dhobaha, Dist- Bhojpur
... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr. Shiv Prasad Gupta, Advocate
For the Respondent/s	:	Mr. Binay Krishna, Spl.P.P.
For the Informant	:	Mr. Vishwanand Upadhyay, Advocate

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

4 24-06-2026 1. Heard learned counsel for the appellant, learned
Special Public Prosecutor for the State and learned counsel
appearing on behalf of the informant.

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 15.05.2025 in A.B.P. No. 729 of 2025 passed by the
learned 1st Additional Sessions Judge-cum-Special Judge,
SC/ST, Bhojpur at Ara in connection with Dhobaha P.S. Case
No. 15 of 2025 registered under Sections 192(2), 191(3), 190,
126(2), 115(2), 75, 109(1), 303(2), 352, 351(2), (3) of the
B.N.S., Section 27 of Arms Act as well as Sections 3(1)(r)(s)



and 3(ii)(va) of the SC/ST Act.

3. In view of the grounds taken in the limitation application, delay of 24 days in filing the appeal is condoned, as such, I.A. No. 01 of 2025 is allowed.

4. Learned counsel appearing on behalf of the appellant submits that appellant has antecedent of one case and the informant alleges that on 04.02.2025 at 02:30 p.m. a girl (Tanu) of his mohalla had gone to attend the call of nature when Bhim and Tunna finding her alone used abusive language and Bhim caught her cheek and on objection abused by taking caste name but the victim managed to come back home and disclosed the occurrence to her parents who in turn disclosed the occurrence to the informant. Accordingly, the informant along with his family members went to inquire when the aforesaid two accused persons i.e. Bhim and Tunna started abusing, hence, on hearing hulla some members of his mohalla came and thereafter Upendra assaulted Mahendra by an iron rod causing injury on head while Munna assaulted Vikash by lathi causing injury on head. Further, Mithilesh assaulted Indal by lathi and Surendra assaulted Soni by lathi causing injury on shoulder. Thereafter, Bhola assaulted Pushpa by lathi causing injury on shoulder and neck and thereafter Nagendra assaulted the informant by danda



causing injury on head and he became unconscious. Further, Ravi and Shankar came and started firing and Nagendra snatched his locket.

5. Learned counsel for the appellant submits that appellant has been falsely implicated in the instant case by the informant. It is further submitted that it does not appear probable that informant with such precision could have alleged who assaulted whom and by what and where. It is next submitted that even presuming what has been alleged is true without admitting then no specific allegation is alleged against the appellant of abuse and assault.

6. Learned Special Public Prosecutor for the State and learned counsel appearing on behalf of the informant are not in a position to rebut the said submissions of the learned counsel appearing on behalf of the appellant.

7. After hearing the learned counsel for the parties, let the appellant, above-named, in the event of his arrest or surrender within a period of six weeks from the date of receipt of the order, be released on anticipatory bail on furnishing bail bonds of Rs.5,000/- (Rupees Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Trial Court where the case is pending in connection with the aforesaid



case, subject to the conditions as laid down under Section 438(2) of the Cr.P.C./482(2) of the B.N.S.S.

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

(Satyavrat Verma, J)

Kundan/-

U		T	
---	--	---	--

