

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL APPEAL (SJ) No.4586 of 2024**

Arising Out of PS. Case No.-401 Year-2019 Thana- TEKARI District- Gaya

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1. RAM NIWAS THAKUR S/o RAMASHISH THAKUR R/o Village- Ammakuan, PS- Tekari, District - Gaya
  2. Suresh Prasad Yadav @ Suresh Yadav @ Suresh Prasad S/o Ramjit Yadav R/o Village- Ammakuan, PS- Tekari, District - Gaya
  3. Purushotam Kumar @ Purushotam Yadav S/o Ramesh Prasad @ Late Munna Yadav R/o Village- Ammakuan, PS- Tekari, District - Gaya

... .. Appellant/s

Versus

1. The State of Bihar
2. Chitranjan Kumar Das S/o Rajkumar Das R/o vill - Shiv Bigaha, P.S. - Tekari, Distt.- Gaya

... .. Respondent/s

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**Appearance :**

For the Appellant/s : Mr. Shailesh Kumar, Advocate  
For the Respondent/s : Mr. Sadanand Paswan, Spl.P.P.

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**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA**  
**ORAL ORDER**

4      12-03-2026                      1. Heard learned counsel for the appellants and learned Special Public Prosecutor for the State.

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 24.07.2024 in A.B.P. No. 188 of 2024 passed by the learned Exclusive Special Judge, SC/ST, Gaya in connection with Tekari P.S. Case No. 401 of 2019 registered under Sections 147, 148, 149, 323, 307, 324 and 379 of the Indian Penal Code as well as Sections 3(1)(r)(s) of the SC/ST Act.



3. Learned counsel for the appellants submits that the case was taken up on 11.11.2024 when notices were issued on the respondent no. 2. It is further submitted that the notice was received by a lady named Poonam Devi as would manifest from the office report dated 18.12.2024. It is next submitted that Poonam Devi is wife of the respondent no. 2, as such, a jointness application was filed.

4. Since the jointness application has been filed, as such, the notice is deemed to be validly served.

5. Learned counsel for the appellants submits that respondent no. 2, despite receiving the notice, chooses not to appear and contest.

6. Learned counsel for the appellants submits that appellant no. 1 has antecedent of one case and appellant nos. 2 and 3 are persons with clean antecedent and in sum and substance, the allegation is that on 14.11.2019, at about 06:30 p.m., accused persons assaulted the informant and others when they were crossing their tractor from Amakuan and Rs.5,000/- were also snatched from the pocket of the informant.

7. Learned counsel for the appellants submits that appellants have been falsely implicated in the instant case by the informant with general and omnibus allegation. It is further



submitted that Badan Yadav @ Badan @ Ramjidhari along with fifteen others had approached this Court seeking anticipatory bail by filing Cr. Appeal (SJ) No. 1557 of 2020 and the same came to be allowed by a learned Coordinate Bench of this Court by an order dated 07.10.2020. It is next submitted that the case of the appellants is on similar footing. It is also submitted that no doubt, the case is of the year 2019 but then appellants were not aware of their implication in the instant case and the moment they came to know about their implication, they approached the learned District Court. It is further submitted that even the police never made any endeavours to arrest the appellants nor sought any process under Sections 82 and 83 of the Cr.P.C.

8. Learned Special Public Prosecutor opposed the prayer for anticipatory bail.

9. Considering the submissions made by the learned counsel for the appellants, let the appellants, above named, in the event of their arrest or surrender before the learned Trial Court 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) each 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 Code of Criminal Procedure.

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

(Satyavrat Verma, J)

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