

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.3950 of 2025

Arising Out of PS. Case No.-216 Year-2024 Thana- NIMCHAKBATHANI District- Gaya

1. Sunil Yadav S/o Kapil Yadav @ Kapil Prasad R/o Vill- Chandachak, PS-Neemchak Bathani, Dist- Gaya
2. Nagina Yadav S/o Kapil Yadav @ Kapil Prasad R/o Vill- Chandachak, PS-Neemchak Bathani, Dist- Gaya

... .. Appellant/s

Versus

1. The State of Bihar
2. Punam Kumari W/o Bhushan Paswan R/o vill - Chandachak, P.S.-Neemchak Bathani, Distt.- Gaya

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr.Shivendra Prasad
For the Respondent/s	:	Mr.Usha Kumari 1, Spl. PP
		Mr. Hira Sharma, Adv

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

5 29-04-2026 **1.** Heard learned counsel for the appellants, learned Spl. P.P. for the State and the 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 11-8-2025 in A.B.P. No. 197 of 2025 passed by the learned Exclusive Special Judge S.C./S.T. (POA) Act, Gaya in connection with Neemchak Bathani P.S. Case No. 216 of 2024 registered for the offences punishable under Sections 126(2), 115(2), 110, 303(2), 352, 351(2), 351(3) and 3(5) of the Bhartiya Nyaya Sanhita as well as Sections



3(1)(r), 3(1)(s), 3(2)(v), 3(1)(w) of the SC/ST Act.

3. Learned counsel for the appellants submits that appellants are persons with clean antecedent and the informant alleges that she was working in her field on 7-10-2025 at 9 am, when accused persons came and Sunil abused by taking caste name and assaulted her by lathi on shoulder, while Nagina and Lala assaulted Poonam by lathi on back and shoulder, further Ashok also assaulted them by lathi, while Lala and Sikandar snatched chain of Poonam and Abila and also abused, further the reason for the occurrence is that the accused persons cut the ridge of her land and amalgamated the same with their land, on objection the occurrence took place.

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 on account of dispute relating to land, the occurrence is alleged to have taken place. It is also submitted that for the side of the appellants Neemchak Bathani PS Case No. 212 of 2024 dated 7-10-2024 was instituted against the informant and her side as such the instant FIR by way of counter-blast was instituted on 10-10-2024, i.e., after a delay of three days without any plausible explanation. It is thus submitted that had any occurrence of the nature as alleged taken place on 7-10-2024 in that event the FIR would not have been instituted after a delay of three days. It is next submitted that since an FIR came to be instituted



from the side of the appellants as such the instant FIR was instituted with a view to coerce the appellants into submission. It is also submitted that occurrence is not alleged to have been witnessed by any independent witnesses.

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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