

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.4098 of 2025

Arising Out of PS. Case No.-131 Year-2025 Thana- MAKHDUMPUR District- Jehanabad

1. J.P Yadav @ Vishal S/O Sadhu Sharan Singh @ Sadhu Sharan Yadav @ Sadhu Yadav Village- Chatar, PS- Makhdumpur, Dist- Jehanabad.
2. Chunnu Yadav @ Vivek Kumar @ Vivek Kumar Ranjan S/O Sadhu Sharan Singh @ Sadhu Sharan Yadav @ Sadhu Yadav Village- Chatar, PS- Makhdumpur, Dist- Jehanabad.

... .. Appellant/s

Versus

1. The State of Bihar
2. Manish Raj S/O Indradeo Singh R/O Vill.- Mussi, P.S- Makhdumpur, Dist- Jehanabad

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr. Umesh Kumar Mr. Abhishek Anand Mr. Shubhankar Raj Mr/s. Amartya Raj
For the Respondent/s	:	Ms. Usha Kumari 1- Spl.P.P. Mr. Ashok Kumar

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

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

2. The appellants have challenged the order dated 04.09.2025 passed by the learned 1st Additional Sessions Judge-cum-Special Judge (SC/ST) Act, Jehanabad in connection with A.B.P. No. 1097 of 2024 arising out of Mukhdumpur P.S. Case No. 131 of 2025 instituted for the offences under Sections 191(2), 191(3), 190, 126(2), 115(2), 117(2), 109(1) and 303(2)



of the B.N.S and Section 3(2)(va) and Sections 3(i)(r)(s) of the Scheduled Castes & Scheduled Tribes (Prevention of Atrocities) Act, 1989, whereby their prayer for grant of anticipatory bail has been rejected.

3. The learned counsel appearing on behalf of the appellants submits that appellants have antecedent of one case and the informant alleges that he along with Abhishek and Vijay were going to village Dhanki to attend a Tilak ceremony of the son of Ram Uday Singh. Further, when they reached near Chatar crossing at 9:15 PM, appellants in a drunken condition stopped their car, thereafter dragged all three outside the car and tried to snatch their chain, when Vikash and Ravi Rajak who were returning from Tilak ceremony reached the place of occurrence and tried to pacify the issue, when nine named accused persons came and started assaulting by *lathi*. Further, Rajrup assaulted informant by *lathi* causing injury on hand and accused persons also assaulted Abhishek, Vikash and Dipak causing injury on head. Further, Vikash received injury on both hands and jaw while Dipak suffered injury on head and left hand and Ravi suffered injury on his shoulder while Rahul snatched chain of Dipak who had also reached at the place of occurrence while returning from Tilak ceremony.



4. The learned counsel appearing on behalf of the appellants submits that 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 informant alleges that while he along with two others were going to attend the Tilak ceremony when they were intercepted by the appellants near Chatar crossing and tried to snatch their chain. It is submitted that Ravi Rajak was not present in the car. It is next submitted that thereafter, it is alleged that Vikash and Ravi came from the side of the informant and nine named accused persons from the side of the appellants also came and then a fight ensued leading to injury. It is next submitted that Ravi and informant suffered grievous injury but then specific allegation of assaulting informant is against Rajrup and as far as allegation of assault against Ravi is alleged, the same is general and omnibus in nature. It is also submitted that informant and other injured do not belong to the Scheduled Caste Category, but then Ravi belongs to Scheduled Caste Category. It is thus submitted that it cannot be alleged that the appellants assaulted the side of the informant on the ground that they belong to SC/ST category. It is reiterated and submitted that allegation of assault and abuse is not alleged against the



appellants. It is further submitted that if privilege of anticipatory bail is granted, the appellants will not abscond rather will cooperate in the investigation to prove their innocence.

5. The learned Special P.P. and the learned counsel appearing on behalf of informant opposes the anticipatory bail application but then are not in a position to rebut the submission of the learned counsel appearing on behalf of the appellants that informant and other injured except Ravi do not belong to Scheduled Caste category and as such, it cannot be alleged that the occurrence took place on the ground that injured belong to the Scheduled Caste Category.

6. Regard being had to the aforesaid submissions, the order dated 04.09.2025 is set-aside.

7. The appeal stands allowed.

8. The appellants, above-named, in the event of their arrest or surrender before the learned Court below within a period of eight weeks, are directed to be released on bail on their furnishing bail-bonds in the sum of Rs.5,000/- (Rupees Five Thousand) each with two sureties of the like amount each to the satisfaction of learned 1st Additional Sessions Judge-cum-Special Judge (SC/ST) Act, Jehanabad in connection with A.B.P. No. 1097 of 2024 arising out of Mukhdumpur P.S. Case No. 131



of 2025, subject to the conditions laid down under Section
482(2) of the BNSS.

(Satyavrat Verma, J)

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