

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.4262 of 2025

Arising Out of PS. Case No.-194 Year-2025 Thana- BHORE District- Gopalganj

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1. Raj Nandan Yadav S/O Gena Yadav
 2. Sunil Yadav S/O Raghunath Yadav
 3. Bablu Patel S/O Rajendra Patel

All are Resident of Village- Sultanpur, P.S.- Kateya, District- Gopalganj.

... .. Appellant/s

Versus

1. The State of Bihar
2. Ravi Kumar Ram S/O Phulena Ram, R/O Village- Bhadavhi, Post- Jagirdare Bankata, P.S.- Bhore, Distt.- Gopalganj.

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Pankaj Kumar Dubey, Adv.

For the Respondent No.2: Mr. Pankaj Kumar, Adv.

For the State : Ms. Usha Kumari 1, Spl. P.P.

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY

ORAL ORDER

4 23-02-2026 Heard the learned counsel for the appellants, the learned counsel for the informant/respondent No. 2 and the learned Special Public Prosecutor for the State.

2. This is an appeal under Section 14(A)(2) of the Scheduled Castes & Scheduled Tribes (Prevention of Atrocities) Act, 1989 [*in short the **SC/ST (POA) Act***] against the rejection of



prayer for bail *vide* order dated 05.08.2025 passed by the learned Addl. District Judge-XI-cum-Special Judge-SC/ST, Gopalganj in A.B.P. No. 1500 of 2025 in connection with Bhore P.S. Case No. 194 of 2025 registered for the offence(s) under Section(s) 126(2), 115(2), 118(1), 303(2) and 352/3(5) of the Bharatiya Nyaya Sanhita, 2023 (B.N.S.) and Section(s) 3(i)(r)(s) and 3(2)(va) of the SC/ST (POA) Act.

3. The allegation against the appellants is that they had assaulted the informant and had even abused him by taking his caste name.

4. The learned counsel for the appellants submits that the appellants have falsely been implicated in this case due to personal rivalry. It has been submitted that from mere perusal of the F.I.R., it would be evident that there is general and vague allegation against the appellants. It has further been submitted that even the allegation of abuse is general in nature and the place of occurrence also cannot be said to be in full public view in order to attract SC/ST (POA) Act. It has lastly been submitted that the appellants have clean antecedents.

5. The learned Special Public Prosecutor for the State as also the learned counsel appearing on behalf of the informant/respondent No. 2 have vehemently opposed the bail



petition of the appellants and have submitted that the appellants had assaulted the informant/respondent No. 2 with iron rod and had also taken away Rs. 5,000/- from his pocket.

6. Having considered the submissions made on behalf of the parties, let the appellants, above-named, be released on anticipatory bail, in the event of their arrest/surrender before the learned Court below within a period of four weeks from today, on their furnishing bail bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor Court in connection with Bhore P.S. Case No. 194 of 2025, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973 read with corresponding Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023 (B.N.S.S.) as well as subject to the following conditions:

(i) One of the bailors of the appellants shall be their close relative and the other shall be a local resident.

(ii) The appellants shall remain physically present before the concerned Court on each and every date of the trial and shall cooperate in the investigation.

(iii) In case of absence for two consecutive occasions, without reasonable cause, or in violation of



the terms of the bail, the bail bonds of the appellants will be liable to be cancelled by the concerned Court.

(iv) The concerned Court shall verify the criminal antecedents of the appellants and in case, at any stage, it is found that they have concealed their criminal antecedents, the Court concerned shall take necessary steps for cancellation of their bail bonds. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(v) The appellants shall in no manner threaten or try to contact or influence the informant/respondent No. 2.

7. Accordingly, the impugned order, referred to above, is set aside.

8. The appeal stands allowed.

9. It is made clear that the observation, if any, made in this order, shall be of no bearing during trial.

(Sourendra Pandey, J)

Praveen-II/-

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