

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.4407 of 2025

Arising Out of PS. Case No.-25 Year-2025 Thana- SC/ST District- Kaimur (Bhabua)

1. Pradhan Yadav @ Sunil Yadav Son of Awadhesh Yadav Resident of village - Kalaviya, P.S.- Chainpur, District - Kaimur at Bhabua.
2. Chandan Yadav @ Chandan Kumar Yadav Son of Sanjay Yadav Resident of village - Kalaviya, P.S.- Chainpur, District - Kaimur at Bhabua.
3. Avadhesh Yadav @ Avadhesh Singh Son of Late Ram Nath Yadav @ Late Ram Nath Singh Resident of village - Kalaviya, P.S.- Chainpur, District - Kaimur at Bhabua.
4. Sanjay Singh Son of Avadhesh Yadav @ Avadhesh Singh Resident of village - Kalaviya, P.S.- Chainpur, District - Kaimur at Bhabua.
5. Ranjay Yadav @ Ranjan Yadav Son of Late Dina Nath Yadav Resident of village - Kalaviya, P.S.- Chainpur, District - Kaimur at Bhabua.

... .. Appellant/s

Versus

1. The State of Bihar
2. Kumari Chanchal Wife of Santosh Ram Resident of village - Raghuveer Garh, Post - Badhauna, P.S.- Chainpur, District - Kaimur at Bhabua.

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr. Rajani Kant Pandey, Advocate
For the Respondent/s	:	Mrs.Usha Kumari 1, Special P.P.
		Mr. Tribhuwan Narayan, Adv.for Respondent-1

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 16-07-2026 Heard learned counsel for the appellants, learned Special P.P. for the State and learned counsel appearing on behalf of respondent no. 2.

2. This appeal has been filed against an order passed by learned Special Judge, SC/ST Act, in connection with a case, registered under Sections 126(2), 115(2), 74, 352, 351(2), 3(5) of the B.N.S. and Section 3(1)(r)(s)(w), 3(2)(va) of the



Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act (for short “SC/ST Act”), whereby the prayer for anticipatory bail of appellants has been rejected.

3. As per prosecution case, on the alleged date & time of occurrence, when the informant, who was *Anganbari Sevika*, was at *Anganbari* Centre, all these appellants came, abused her by caste name and forcibly kicked her out of the room and damaged the *chulha* and ration (food material). It is further alleged that when family members of informant came there, they were also assaulted by the accused persons.

4. Learned counsel for the appellants submits that on account of dispute with regard to drainage, scuffle took place between the parties, in which both sides sustained injuries. Case and counter case. Allegation of assault is general and omnibus. He further submits that the alleged occurrence did not take place within the public view and as such, no case under the SC/ST Act is made out. Appellants claim clean antecedent.

5. Learned Spl. Public Prosecutor for the State and learned counsel for the respondent no. 2 opposes the appeal.

6. However, considering the aforesaid facts and circumstances, the impugned order is, hereby, set aside and this criminal appeal is allowed.



7. Let the appellants, as named above, in the event of arrest or surrender within a period of eight weeks from today, be enlarged on bail on furnishing bail-bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Addl. Sessions Judge – 1 cum Special Judge, SC/ST Act, Kaimur at Bhabua in connection with SC/ST Bhabua P.S. Case No. 25 of 2025.

(Prabhat Kumar Singh, J)

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