

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.4401 of 2025

Arising Out of PS. Case No.-326 Year-2025 Thana- CHANDAUTI District- Gaya

-
1. Indradev Yadav S/o Kali Yadav Resident of village- Chaurahi, Police station- Chandauti, District- Gaya
 2. Sahil Kumar S/o Indradev Yadav Resident of village- Chaurahi, Police station- Chandauti, District- Gaya

... .. Appellant/s

Versus

1. The State of Bihar
2. Sarita Devi W/o Naresh Chaudhari R/o vill - Barragi, P.s.- Kotwali, Distt.- Gaya

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr. Braj Nandan Kumar Tiwary, Advocate
For the Respondent/s	:	Mr. Sadanand Paswan, Special P.P.
		Mr. Manibhushan Kumar, Adv.for Resp.no.-2

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

5 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 127(1), 115(2), 117(2), 352, 351(2), 3(5) of the B.N.S. and Section 3(1)(s)(r) 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. Prosecution case, in brief, is that on 19.07.2025 at



about 4 PM, three accused persons, who were neighbours of brother-in-law of informant/victim, started abusing and assaulting sister of informant and when informant came to save her, she was assaulted with brick by co-accused Malti Devi, causing injury on her head.

4. Learned counsel for the appellants submits that as per F.I.R. itself, specific accusation of assault with brick is against co-accused Malti Devi. So far as these appellants are concerned, they are only alleged to have scuffled with sister of informant. There is no allegation of overt act against these appellants. He further submits that the alleged occurrence did not take place within public view and as such, no case under the SC/ST Act is made out. Appellants claim clean antecedent.

5. Learned Spl. Public Prosecutor as well as learned counsel for respondent no. 2 vehemently opposed 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 released on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the



satisfaction of learned Exclusive Special Judge, SC/ST Act,
Gayaji in connection with Chandauti P.S. Case No. 326 of 2025.

(Prabhat Kumar Singh, J)

anay

U		T	
---	--	---	--

