

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.4363 of 2025

Arising Out of PS. Case No.-182 Year-2025 Thana- JAYNAGAR District- Madhubani

1. Satish Yadav @ Satish Kumar Yadav S/O Krishna Yadav @ Krishna Kumar Yadav R/O Village- Barhi, P.S- Jaynagar, Distt.- Madhubani.
2. Nitish Yadav @ Nitish Kumar Yadav S/O Krishna Yadav @ Krishna Kumar Yadav R/O Village- Barhi, P.S- Jaynagar, Distt.- Madhubani.

... .. Appellant/s

Versus

1. The State of Bihar
2. Prakash Kumar Safi @ Prakash Kumar S/O Vinod Kumar Safi R/O Village- Barhi Ward No. 6, P.S- Jaynagar, Distt.- Madhubani.

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr. Gagan Deo Yadav, Advocate Mr. Ravi Prakash Yadav, Advocate
For the State	:	Ms. Meena Singh, Spl. PP
For the Respondent no.2	:	Mr. Rananjay Kumar, Advocate Ms. Chatteshwari Kumari, Advocate

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

4 23-02-2026 Heard the learned counsel for the parties.

2. This is an appeal under Section 14(A)(2) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 against the rejection of prayer for bail vide order dated 07.08.2025 passed by the learned Additional Sessions Judge-1st cum Special Judge, Madhubani passed in A.B.A. No. 1321 of 2025 in connection with G.R. No. 77 of 2025 arising out of Jaynagar P.S. Case No. 182 of 2025 registered for the offence/s punishable u/ss 126(2), 115(2), 127(2), 329(3), 352, 351(2) and 3(5) of the BNS and under



Section 3(i)(r)/3(i)(s) of the SC/ST (POA) Act.

3. As per the prosecution case, the allegation against the appellants is that they along with others named and some unknown persons have approached the door of the informant and started to abuse the father of the informant to which the informant objected and therefore it is alleged that the appellants assaulted the informant and injured him.

4. Learned counsel for the appellants submits that the appellants have falsely been implicated in this case and no such incident has occurred. It has further been submitted that on account of some dispute with regard to fishery that the appellants have been implicated. It has next been submitted that no injury report has been brought on record and the same can be inferred that it has not been referred to by the learned Trial Court and moreover, the occurrence has admittedly taken place at the door of the informant and therefore no case under Section SC/ST Act is made out. It has lastly been submitted that the appellants have no criminal antecedent.

5. Learned counsel for the respondent no. 2 as well as learned Spl. P.P. for the State has vehemently opposed the bail petition of the appellants and have submitted that the appellants along with others had brutally assaulted the informant and his



father and therefore, the anticipatory bail application should not be allowed.

6. Considering the aforesaid submissions and facts of the case, the order passed by the learned Trial Court dated 07.08.2025 passed in A.B.A. No. 1321 of 2025 is accordingly set aside. Let the appellants above named be released 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 the learned Court below where the case is pending/successor court in connection with in connection with G.R. No. 77 of 2025 arising out of Jaynagar P.S. Case No. 182 of 2025, subject to the following conditions:

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

(ii) The appellants shall remain physically present in Court on each date of the trial.

(iii) In case of absence on two consecutive dates or in violation of the terms of the bail, the bail bond of the appellants will be liable to be cancelled by the court concerned.

(iv) If the appellants are found involved in similar



nature of offence in future, the prosecution shall be at liberty to move for cancellation of his bail bond.

(v) The learned Court below shall verify the criminal antecedent of the appellants and in case at any stage it is found that the appellants have concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the appellants. 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.

7. The criminal appeal is allowed.

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

(Sourendra Pandey, J)

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