

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.5252 of 2024

Arising Out of PS. Case No.-333 Year-2024 Thana- KONCH District- Gaya

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1. Ajay Yadav S/O Duly Yadav @ Fulichand Yadav @ ili Yadav R/O Village- Shahganj Lodipur, P.S- Konch,Dist.- Gaya.
 2. Duly Yadav @ Fulichand Yadav S/O Late Kallur Yadav @ Late Kalut Yadav R/O Village- Shahganj Lodipur, P.S- Konch,Dist.- Gaya.

... .. Appellant/s

Versus

1. The State of Bihar
2. Gita Devi W/O Domas Das R/O Village- Shahganj Lodipur, P.S- Konch,Dist.- Gaya.

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Dharendra Kumar Sinha
For the Respondent/s : Mr. Sadanand Paswan

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

5 27-04-2026 1. Heard learned counsel for the appellants and the learned Special P.P.

2. This is an appeal under Section 14-A(2) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 (hereinafter referred to as the “SC/ST Act”) against the refusal of prayer for anticipatory bail vide order dated 21.09.2024 in ABP No.279/2024, passed by the learned Exclusive Special Judge, SC/ST Gaya in connection with Konch P.S. Case No. 333 of 2024 registered under Sections 126(2), 115(2), 109, 352, 3(5) of the BNS, 2023 as well as Sections 3(1)(r), 3(i)(s) and 3(2)(v) of the SC/ST Act.



3. Learned counsel for the appellants submits that appellants have antecedent of one case and the informant alleges that on 10.08.2024 at 8 A.M. Duly Yadav (appellant no.2) started abusing her in front of his house, on protest, Ajay (appellant no.1) and Bharat assaulted her and Sunaina by rod causing injury on head, on alarm, Kunti Devi came when Duly Yadav assaulted her by lathi and accused persons abused by caste name.

4. Learned counsel for the appellants submits that appellants have been falsely implicated in the instant case by the informant. It is further submitted that from the side of the appellants Konch P.S. Case No.332/2024 has been instituted against the informant and her side It is further submitted that even from the side of the appellants, persons have suffered injury.

5. Learned Special Public Prosecutor opposes the prayer for anticipatory bail and submits that appellants have antecedent of one case and the informant who is a woman alleges that she was abused by Duly Yadav in front of his house and appellants are alleged to have assaulted informant and Kunti by rod and lathi causing injury. At this stage, the learned counsel appearing on behalf of the appellants submits that even



presuming what has been alleged is true without admitting then the injury suffered by the injured has been opined to be simple, on which, the learned Special P.P. submits that appellants assaulted woman and that too on head causing injury, as such, the appellants do not deserve the privilege of anticipatory bail.

6. Considering the submissions made by the learned Special P.P., the Court is not inclined to extend the privilege of anticipatory bail to the appellants.

7. The appeal of the appellants is rejected.

(Satyavrat Verma, J)

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