

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.5278 of 2024

Arising Out of PS. Case No.-649 Year-2024 Thana- AURANGABAD TOWN District-
Aurangabad

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Subodh Kumar Son of Matuk Yadav @ Matuk Yadavo Resident of Village -
Pandariya, P.S. - Simra, District - Aurangabad

... .. Appellant/s

Versus

1. The State of Bihar
2. Akhilesh Kumar Son of Late Bhikhar Paswan Resident of Village -
Pandariya, P.S. - Simra, District - Aurangabad

... .. Respondent/s

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Appearance :

For the Appellant/s : Mr.Ashok Singh

For the Respondent/s : Mr.Sadanand Paswan

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

5 30-04-2026 1. Heard learned counsel for the appellant and the
learned Special Public Prosecutor for the State.

2. The appellant has challenged the order dated
30.10.2024 passed by the learned Special Judge (SC/ST)-cum-
1st Additional District & Sessions Judge, Aurangabad in
connection with ABP No.2391 of 2024 arising out of
Aurangabad (Town) P. S. Case No.649 of 2024, instituted for
the offences under Sections 126(2), 115(2), 352, 351(2), 3, 5 of
the Indian Penal Code and Section 3(1)(r)(s),3(2)(v-a) of the
Scheduled Castes & Scheduled Tribes (Prevention of Atrocities)
Act, whereby his prayer for grant of anticipatory bail has been
rejected.



3. The learned counsel appearing on behalf of the appellant submits that from perusal of the office report dated 20.04.2026, it would manifest that respondent no.2 has received the notice but then chooses not to appear and contest. It is next submitted that appellant has antecedent of one case and the informant alleges that Subodh had called 7-8 accused and when the informant came out of the college, the accused assaulted him but he managed to flee.

4. The learned counsel for the appellant submits that appellant has been falsely implicated in the instant case by the informant. It is next submitted that from perusal of the allegations as alleged in the FIR, it would manifest that the same does not even remotely suggest that the informant was abused by taking caste name and allegation of assault is also general and omnibus in nature.

5. The learned Special P. P. opposes the bail application.

6. Regard being had to the aforesaid submissions, the order dated 30.10.2024 is set-aside.

7. The appeal stands allowed.

8. The appellant, above-named, in the event of his arrest or surrender before the learned Court below within a



period of six weeks, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs.5,000/- (Rupees Five Thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge (SC/ST)-cum- 1st Additional District & Sessions Judge, Aurangabad in connection with ABP No.2391 of 2024 arising out of Aurangabad (Town) P. S. Case No.649 of 2024, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

(Satyavrat Verma, J)

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