

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.4535 of 2025

Arising Out of PS. Case No.-145 Year-2025 Thana- ROHTAS District- Rohtas

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1. Shankar Yadav S/O Mahaveer Yadav R/O Village- Uchaila, P.S and Distt.- Rohtas.
 2. Amarjeet Yadav @ Amarjeet Kumar S/O Vinod Yadav R/O Village- Uchaila, P.S and Distt.- Rohtas.
 3. Rohan Yadav @ Rohan Kumar S/O Ram Bachan Yadav R/O Village- Uchaila, P.S and Distt.- Rohtas.
 4. Pramod Yadav @ Pramod Singh S/O Ganesh Yadav R/O Village- Uchaila, P.S and Distt.- Rohtas.
 5. Bittu Yadav @ Bittu Kumar S/O Shankar Yadav R/O Village- Uchaila, P.S and Distt.- Rohtas.
 6. Badi Yadav @ Surybali Kumar S/O Rajendra Yadav R/O Village- Uchaila, P.S and Distt.- Rohtas.

... .. Appellant/s

Versus

1. The State of Bihar
2. Mithun Paswan S/O Rajvanshi Paswan R/O Village- Uchaila Nagar Panchayat Rohtas, P.S and Distt.- Rohtas.

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr.Rajesh Kumar Singh, Advocate
For the State	:	Mr.Binay Krishna, Special PP
For respondent No.2	:	Mr. Bharat Bhushan, Advocate

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 16-04-2026 Heard learned counsel appearing for the appellants and the learned Special Public Prosecutor for the State. However, none appeared on behalf of respondent no. 2, despite the fact that, upon issuance of notice, respondent no. 2 has already filed vakalatnama.

2. The present appeal has been filed by the appellants seeking grant of bail and setting aside the order dated



26.09.2025 passed by the learned Special Court, SC/ST (POA), Sasaram, Rohtas, in connection with Rohtas P.S. Case No. 145 of 2025, registered for the offences punishable under Sections 115(2), 117(2), 329(2), 303(2), 352, 351(2), 191(2) of the BNS and Sections 3(2)(va), 3(1)(s), and 3(2)(va) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

3. As per the prosecution case, the FIR has been instituted against nine accused persons with general and omnibus allegations of abuse and assault. It is specifically alleged against co-accused Rajesh Yadav that he abused the informant in the name of caste and assaulted the informant's wife with a lathi, causing injuries. There are also allegations of criminal intimidation.

4. Learned counsel for the appellants submits that the appellants are innocent and have been falsely implicated. It is contended that the informant and the appellants are co-villagers and known to each other, and due to village politics, both case and counter-case have been lodged. It is further submitted that all family members and relatives have been roped in with general and omnibus allegations, whereas specific allegations of abuse and assault are only against co-accused Rajesh Yadav,



who is not an appellant herein. It is also submitted that the appellants' side had earlier lodged a case alleging that the informant's side had taken Rs. 5,000/- on the pretext of facilitating benefits for house construction, which led to a scuffle between both sides, and in retaliation, the present case has been instituted. The appellants are stated to have clean antecedents.

5. Learned Special Public Prosecutor opposes the prayer for bail but fairly submits that the specific allegation is against co-accused Rajesh Yadav, who is not an appellant before this Court.

6. Considering the facts and circumstances of the case, particularly that the specific allegations are against co-accused Rajesh Yadav and not against the present appellants, and that there exists a case and counter-case arising out of the same occurrence, the order dated 26.09.2025 passed by the learned Special Court, SC/ST (POA), Sasaram, Rohtas, in connection with Rohtas P.S. Case No. 145 of 2025 is hereby set aside. Let the above-named appellants be released on bail, in the event of their arrest or surrender before the Trial Court within a period of four weeks from today, on furnishing bail bond of ₹30,000/- (Rupees Thirty Thousand only) each, as mentioned in



Section 2(1)(d) of the *Bharatiya Nagrik Suraksha Sanhita*, 2023, to the satisfaction of the **learned Special Judge SC/ST (POA), Sasaram, Rohtas, in connection with Rohtas P.S. Case No. 145 of 2025**, subject to the conditions as laid down under Section 482(2) of the *Bharatiya Nagrik Suraksha Sanhita*, 2023.

7. Accordingly, the Appeal stands allowed.

(Dr. Anshuman, J)

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