

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.5459 of 2024

Arising Out of PS. Case No.-34 Year-2024 Thana- SC/ST District- Supaul

Ravindra Yadav @ Ravindra Kumar S/o- Badri Narayan Yadav Village-
Kusaha Ps- Bhaptiyahi, Dist- Supaul

... .. Appellant/s

Versus

1. The State of Bihar
2. Niraj Kumar S/o- Dhayani Ram Village- Kamaldaha ward no-08, Ps-
Kishanpur Dist- Supaul

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr.Arun Kumar Jha
For the Respondent/s	:	Mr.Sadanand Paswan
		Mr.Vijay Kumar
		Mr.Brahmanand Kumar
		Mr.Mundrika Ram

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

5 28-04-2026 1. Heard learned counsel for the appellant, the learned
Special Public Prosecutor for the State and the learned counsel
appearing on behalf of the informant.

2. The appellant has challenged the order dated
24.10.2024 passed by the learned Additional District & Sessions
Judge-1st-cum-Special Judge, SC/ST Act, Supaul in connection
with ABP No.1290 of 2024 arising out of Supaul P. S. Case
No.34 of 2024, instituted for the offences under Sections 341,
323, 324, 354, 379, 504 and 34 of the Indian Penal Code and
Section 3(1)(r)(s), 3(2)(va) 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 appellant is a person with clean antecedent and the informant alleges that on 21.05.2024 at 11.00 A.M., all the accused persons including the appellant along with 150 unknown accused came variously arm came to the house of the informant and stated abusing by taking caste name and thereafter Om Prakash assaulted the informant by an iron rod causing injury on head thereafter Birendra assaulted the informant by butt of gun and Ravindra Yadav (appellant) assaulted Bindeswhar Ram by farsa. Further, Bipin assaulted Kapildeo by khanti and Nitish assaulted mother of the informant by rod, thereafter Rajiv assaulted father of the informant and Badri Narayan assaulted Arjun Yadav by butt of gun and it is also alleged that 20-22 unknown accused also assaulted.

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 it does not appear probable that appellant with such precision and certainty could have alleged who assaulted whom and by what. It is next submitted that date of occurrence is 21.05.2024 and the FIR came to be instituted on 26.05.2024 i.e. after a delay of five days without



any plausible explanation. It is further submitted that if what has been alleged by the informant is true in that event the doctors would have informed the police that injured persons are being treated in the hospital on account of assault. It is next submitted that even presuming what has been alleged is true without admitting, then entire occurrence took place at the house of the informant, thus was not in public view. It is also submitted that it does not appear probable that 150 unknown accused would have gone to the house of the informant and if they had gone, there must be some reason. It is next submitted that against the informant, a case was instituted by a minor girl being Kishanpur P. S. Case No. 128 of 2024, on account of which the villagers were aggrieved. It is also submitted that even injury suffered by the injured has been opined to be simple in nature.

5. The learned Special P. P. as well as the learned counsel appearing on behalf of the informant opposes the bail application but then are not in a position to rebut the submission of the learned counsel appearing on behalf of the appellant that the FIR was instituted after a delay of five days and the occurrence took place at the house of the informant, thus was not in public view and a case has been instituted by a minor girl against the informant.



6. Regard being had to the aforesaid submissions, the order dated 24.10.2024 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 Additional District & Sessions Judge-1st-cum-Special Judge, SC/ST Act, Supaul in connection with ABP No.1290 of 2024 arising out of Supaul P. S. Case No.34 of 2024, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

(Satyavrat Verma, J)

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