

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.4677 of 2025

Arising Out of PS. Case No.-180 Year-2024 Thana- BUXAR District- Buxar

Atal Yadav @ Satish Yadav S/o Late Satya Narain Yadav @ Satyanarayan
Yadav @ Satya Narayan Yadav R/o Village - Sohniipatti (Sohani Patti), P.S -
Buxar Town, District - Buxar

... .. Appellant/s

Versus

1. The State of Bihar
2. Rina Devi W/o Late Shashibhushan Ram Resident of - Joga Mushib, P.S -
Karimuddinpur, District - Gazipur, State - Uttar Pradesh At present R/o -
Shanti Nagar Bus Stand, P.S - Buxar Town, District - Buxar

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr. Amarjeet, Advocate
For the Respondent/s	:	Mr. Sadanand Paswan, Spl.P.P
For the Respondent No.2:	:	Mr. Arun Kumar Gupta, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

5 18-04-2026 Heard Mr. Amarjeet, learned counsel for the appellant,

Mr. Arun Kumar Gupta, learned counsel appearing on behalf of

the Respondent No. 2 as well as Mr. Sadanand Paswan, learned

Spl.P.P. for the State.

2. This is an appeal under Sections 14(A)(2) against
refusal of the prayer for regular bail by order dated 26.09.2025
passed by the learned Court of District & Additional Sessions
Judge-I-cum-Special Judge, SC/ST (PoA) Act, Buxar in
connection with SC/ST Case No. 50 of 2024, arising out of
Buxar Town P.S. Case No. 180 of 2024, F.I.R. dated 27.03.2024
registered under Sections 302 and 34 of the Indian Penal Code,



Section 27 of the Arms Act and Section 3(2)(v) of the Scheduled Castes and Scheduled Tribes Act (Prevention of Atrocities) Act.

3. Earlier the regular bail application of the appellant has been rejected vide order dated 08.05.2025 passed Cr. Appeal (SJ) No. 866 of 2025 by a Co-ordinate Bench of this Court.

4. Learned counsel for the appellant submits that appellant is innocent and he has falsely been implicated in the present case. He further submits that the appellant is in custody since 20.11.2024 and the trial is not in progress. He further submits that the dead body of the deceased was recovered at around 6:37 A.M on 27.03.2024 and inquest report was prepared on the same day at 8:30 A.M. Thereafter, the postmortem was conducted at 12:40 P.M on the same day and after the postmortem was conducted, the present F.I.R has been instituted at 3:00 P.M on the very same day i.e., 27.03.2024, which suggest that the F.I.R was lodged after the inquest report was prepared and postmortem was conducted. Apart from the aforesaid, nothing has come during investigation which suggest the involvement of the appellant in the present occurrence. As per the F.I.R, no one from public was present at the time of occurrence so no case is made out under the SC/ST Act against the appellant. He further submits that the similarly situated co-



accused, namely, Pradeep Rajbhar has been granted regular bail by a Co-ordinate Bench of this Court vide order dated 17.04.2025 passed in Cr. Appeal (SJ) No. 4594 of 2024.

5. Vide order dated 12.02.2026, a report was called with regard to the stage of trial. Report of the learned trial Court dated 17.02.2026 reveals that charge has been framed against the appellant on 24.01.2026 and there are eight chargesheet witnesses but till date no witness has been examined by the prosecution.

6. Learned counsel for the appellant submits that in view of the report of the learned trial Court, the trial is not likely to be concluded in the near future and the appellant is in custody since 20.11.2024. Apart from the aforesaid, the only allegation against the appellant is that he was last seen with the deceased.

7. Learned counsel appearing on behalf of the Respondent No. 2 as well as learned Special Public Prosecutor for the State have vehemently opposed the prayer for bail of the appellant on the ground that the appellant carried two criminal antecedents other than the present one but fairly submits that he has been acquitted in one case and he is on bail in another.

8. Considering the aforesaid facts and circumstances of the case, let the appellant, above named, be released on bail



on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Court of District & Additional Sessions Judge-I-cum-Special Judge, SC/ST (PoA) Act, Buxar in connection with SC/ST Case No. 50 of 2024, arising out of Buxar Town P.S. Case No. 180 of 2024, with other following conditions:-

i. Appellant shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

ii. If the appellant tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

iii. And further condition that the court below shall verify the criminal antecedent of the appellant and in case at any stage it is found that the appellant have concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the appellant. 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.



9. Accordingly, the impugned order is set aside and
this appeal stands allowed.

(Rajesh Kumar Verma, J)

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