

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL APPEAL (SJ) No.4760 of 2025**

Arising Out of PS. Case No.-211 Year-2024 Thana- WAJIRGANJ District- Gaya

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1. Geeta Kumari @ Geeta Devi Wife of Pramod Yadav @ Pramod Kumar Yadav Resident of Village -Sinduari, Ps- Wazirganj, Dist- Gayaji
  2. Haridwar Prasad @ Haridwar Yadav son of Late Munshi Prasad @ Late Munshi Mahto Resident of Village -Sinduari, Ps- Wazirganj, Dist- Gayaji
  3. Dharmendra Kumar @ Satyendra Kumar Son of Uma Shankar prasad @ Uma Prasad Resident of Village -Sinduari, Ps- Wazirganj, Dist- Gayaji
  4. Subodh Kumar @ Rakesh Kumar Son of Haridwar Prasad @ Haridwar Yadav Resident of Village -Sinduari, Ps- Wazirganj, Dist- Gayaji
  5. Prince Kumar @ Saurav Kumar son of Pramod Kumar @ Pramod Kumar Yadav Resident of Village -Sinduari, Ps- Wazirganj, Dist- Gayaji

... .. Appellant/s

Versus

1. The State of Bihar
2. Nitish Kumar son of Gopal Das Resident of Village - Pura Tola Sinduri, Ps- Wazirganj, Dist- Gaya

... .. Respondent/s

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**Appearance :**

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| For the Appellant/s  | : | Mr.Ajay Kumar Sinha, Adv. |
| For the Respondent/s | : | Ms.Usha Kumari 1, Spl. PP |
|                      | : | Mr. Vinod Kumar, Adv.     |

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**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA**  
**ORAL ORDER**

8      27-07-2026                      1. Heard learned counsel for the appellants, learned Special P.P., Ms. Usha Kumari for the State and learned counsel appearing on behalf of the informant.

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 11.09.2025 in A.B.P. No. 246 of 2025 passed by the



learned Exclusive Excise Judge S.C./S.T. (POA) Act, Gaya Ji in connection with Wazirganj P.S. Case No. 211 of 2024 registered for the offences punishable under Sections 341, 323, 504, 467, 471, 147 and 468 of the Indian Penal Code as well as Sections 3(1)(r), 3(1)(s) of the SC/ST (POA) Act.

3. Learned counsel for the appellants submits that appellants at the outset seeks permission to withdraw the appeal with respect to appellant no. 4 Subodh Kumar @ Rakesh Kumar.

4. Permission is accorded.

5. It is fairly submitted that at Para 3 it has been pleaded that Subodh Kumar is a person with clean antecedent when he has antecedent of two cases. It is next submitted that with respect to appellant nos. 2 and 3 also it is pleaded at Para 3 that appellants are persons with clean antecedent, but then both appellant nos. 2 and 3 had antecedent of two cases but police after investigation submitted Final Form and they have never received any summon in the case and appellants are not aware whether cognizance has been taken by the learned Trial Court in the aforesaid two cases as they have never received any summons. It is next submitted that appellants nos. 1 and 5 are persons with clean antecedent and the informant alleges that on



28.07.2022, the criminals and land mafia from village Sindori including the appellants created fake documents and took informants mentally unstable maternal grandfather (Bindeshwar Das) to the Registry Office for getting the land transferred in favour of Shanti Devi wife of Haridawar Prasad. It is next alleged that land pertaining to plot no. 2150 having khata no. 41 is not in the name of Bindeshwar Das rather the land is in the name of grandmother of the informant Kusum Devi. Further, when informant confronted regarding execution of the sale deed on 23.03.2024, and again on 02.04.2024, all the accused persons started assaulting the informant and his family members and even abused by taking caste name. Further, the informant has video of the occurrence.

6. Learned counsel appearing on behalf of the appellants submits that appellants have been falsely implicated in the instant case by the informant. It is further submitted that from perusal of the allegations as alleged in the FIR, it would manifest that the dispute is civil to which a criminal colour has been given. It is further submitted that informant has already filed a case before a Court of Competent Civil Jurisdiction for getting the sale deed executed in favour of Shanti Devi cancelled. It is further submitted that if the sale deed executed in



favour of Shanti Devi is not cancelled and the appellants are sent to judicial custody at this stage whether it would amount to travesty of justice or not. It is also submitted that even allegation of abused is general and omnibus in nature.

7. Learned Special P.P. for the State opposes the appeal but then is not in a position to rebut the submission of the learned counsel appearing on behalf of the appellants that the dispute is civil to which a criminal colour has been given informant has filed an application seeking cancellation of sale deed executed in favour of Shanti Devi.

8. In view of the submissions made by the learned counsel for the appellants, the order dated 11.09.2025 **is hereby set aside** with respect to appellant nos. 1, 2, 3 and 5 and the appellants nos. 1, 2, 3 and 5, in the event of their arrest or surrender within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 5,000/- (Rupees Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned Trial Court where the case is pending/successor court in connection with Wazirganj P.S. Case No. 246 of 2025 subject to the conditions as laid down under Section 482 (2) of the BNSS.

9. The supplementary affidavit filed on behalf of the



appellants are taken on record.

(Satyavrat Verma, J)

rajesh/-

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