

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.4790 of 2025

Arising Out of PS. Case No.-216 Year-2024 Thana- IMAMGANJ District- Gaya

Rajesh Yadav @ Rajesh Kumar @ Bauna S/o- Maanik Yadav Village-
Laknachak PS-Imamganj Dist- Gaya

... .. Appellant/s

Versus

1. The State of Bihar
2. Lalita Devi W/o- Kapindra Paswan R/v- Loknayak Ps- Imamganj Dist- Gaya

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr. Md. Javed Jafar Khan, Advocate
For the Respondent/s	:	Mr. Sadanand Paswan, Spl.P.P.
For the Respondent	:	Mr. Satish Kumar Sinha, Advocate
		Ms. Asmita Srivastav, Advocate

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

4 17-03-2026 Heard learned counsel for the appellant, learned
Special Public Prosecutor for the State and learned counsel for
the respondent.

2. The instant appeal has been filed by the appellant
against the order dated 18.10.2025 passed by learned Exclusive
Special Judge, SC/ST, Gaya whereby the prayer for bail of the
appellant in connection with Imamganj P.S. Case no. 216 of
2024 under Sections 192(2), 190, 329(3), 127(1), 115(2), 76,
303(2), 352, 351(2) of B.N.S. and Sections 3(1) (r), 3 (1) (s) of
the SC/ST Act was rejected.

3. The case of the prosecution is that when the
appellant along with his father was digging the earth before the



door of the respondent. When the respondent objected, both the father and son abused her with caste name, they pulled her by catching her hair. The respondent was alone at her house and she was dragged to the fields and was being assaulted with fists and feet. It is further alleged that the appellant has also snatched the earring and golden chain.

4. It is submitted by learned counsel for the appellant that appellant has been falsely implicated in this case. From perusal of the FIR, it is clear that the nature regarding assault and abusing with caste name is general and omnibus. Only specific allegation against this appellant is that he has snatched the golden ornament of the respondent which is ornamental in nature. It has further been submitted that from perusal of the secondary injury report, it will transpire that there is fracture of zygomatic arch but primary injury report of the respondent is not available and from perusal of the FIR, it is clear that the allegation of assault is not with any weapon rather it was with fists and feet. It has further been submitted that it is quite impossible that one will receive fracture injury in head by fists and feet. Moreover, the appellant is languishing in judicial custody since 29.09.2025 having no criminal antecedent.

5. The appeal for bail is opposed by learned Spl. P.P.



for the State and learned counsel for the respondent. Learned counsel for the respondent has submitted that the respondent has received grievous injury.

6. Having heard learned counsel for the parties and taking into consideration that there is no any specific overt act of assault against the appellant, the Court is inclined to allow this appeal. Accordingly, the appeal is allowed and the impugned order dated 18.10.2025 is hereby set aside.

7. The appellant is directed to be enlarged on bail in connection with Imamganj P.S. Case No. 216 of 2024 on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Judge, SC/ST, Gaya.

(Ashok Kumar Pandey, J)

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