

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.4949 of 2025

Arising Out of PS. Case No.-290 Year-2025 Thana- SIKANDRA District- Jamui

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1. Bipin Kumar @ Bipin Yadav S/o Satynarayan Yadav Resident of Village-Acharyadih, P.O and P.S- Sikandra, Dist-Jamui
 2. Pappu Kumar @ Pappu Yadav S/o Satynarayan Yadav Resident of Village-Acharyadih, P.O and P.S- Sikandra, Dist-Jamui
 3. Nitish Kumar @ Nitish Yadav S/o Satynarayan Yadav Resident of Village-Acharyadih, P.O and P.S- Sikandra, Dist-Jamui
 4. Sohar Kumar @ Sohar Yadav S/o Bundi Yadav Resident of Village-Acharyadih, P.O and P.S- Sikandra, Dist-Jamui

... .. Appellant/s

Versus

1. The State of Bihar Bihar
2. Sunil Paswan S/o Parmeshwar Paswan R/o Post Panchmahua, P.s.- Sikandra, Distt.- Jamui

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr.Swarna Roy
For the Respondent/s	:	Mr.Sadanand Paswan

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

4 13-03-2026 Heard the parties.

2. This appeal is preferred against the order dated 01.12.2025 passed by the learned Additional Sessions Judge-I, Jamui in ABP No. 1522 of 2025 in connection with Sikandra P.S. Case No. 290 of 2025 registered for the offence under Sections 115(2),324(4), 109, 117(2), 303(2), 308(5), 353, 351(2), 127(2) of the BNS and under section 3 (2) (s), 3(1)(r), 3 (1) (w), 3(2)(5) of S.C/S.T. (POA) Act by which anticipatory bail filed by the appellants has been rejected.



3. As per the prosecution case, while the informant's nephew was returning from brick kiln, the accused persons come to him and demanded Rangdari of Rs. 5 lakhs. It is further alleged that informant was assaulted by the accused persons and when the police case then all the accused persons fled from the spot by taking caste name.

4. Learned counsel for the appellants, at the very outset, prays for and is permitted to withdraw this application on behalf of the appellant no. 3.

5. Accordingly, this application is dismissed as withdrawn with regard to appellant no. 3.

6. Learned counsel for the appellants submits that the appellants have falsely been implicated in this case and no offence under the provisions of SC/ST Act is made out in this case as the occurrence has taken place because of dispute for grabbing the mud from the land of the appellants and therefore the application of the anticipatory bail is maintainable. He further submits that the allegations are not corroborated by the injury report.

7. Learned counsel for the State has opposed the prayer of the appellants.

8. From the reading of the entire FIR, it does not



appear that offence has been committed against the informant on the ground that she is a member of SC/ST community and primarily, it appears that for a dispute over grabbing the mud from the land of the appellants, the occurrence has taken place and therefore, this application for grant of anticipatory bail is held to be maintainable.

9. Considering the facts of the case and the rival submissions of the parties, this appeal is allowed and accordingly, the order dated 01.12.2025, is hereby set aside with regard to appellant nos. 1, 2 and 4.

10. Let the appellant nos. 1, 2 and 4 in the event of their arrest or surrender within four weeks from today, be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge-I, Jamui/concerned Court below in connection with Sikandra P.S. Case No. 290 of 2025, subject to the conditions laid down under Section 438(2) of the Code of Criminal Procedure/482(2) of the BNSS.

(Sandeep Kumar, J)

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