

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.5187 of 2025

Arising Out of PS. Case No.-98 Year-2025 Thana- DANDARI District- Begusarai

Gulshan Kumar Yadav @ Gulshan Kumar S/O Hari Yadav @ Hare Ram
Yadav R/O Village- Rajopur, Ward No. 06, P.S- Dandari, District- Begusarai.

... .. Appellant/s

Versus

1. The State of Bihar
2. Lalo Devi W/O Hare Ram Paswan R/O Village- Rajopur, Ward No. 03, P.S.-
Dandari, Distt.- Begusarai.

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Sandip Kumar Gautam
For the Respondent/s : Mr. Binay Krishna

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

3 10-04-2026 Heard learned counsel for the appellant and learned
Special Public Prosecutor for the State.

2. The present appeal has been preferred by the appellant against the order dated 18.10.2025 passed by the learned Exclusive Special Judge, SC/ST Act, Begusarai, in connection with Dandari P.S. Case No. 98 of 2025, registered for the offences punishable under Sections 127(2), 103(1), and 352/34 of the Bharatiya Nyaya Sanhita, 2023, along with Section 27 of the Arms Act and Section 3(2)(va) of the SC/ST Act, by which, the learned court below rejected the prayer of the appellant for grant of regular bail.

3. Altogether, ten persons are alleged to have



intercepted the deceased, after which one *Indal Yadav* is said to have shot and killed him. The appellant is alleged to have, along with other co-accused, verbally abused the informant and her husband with caste-related slurs.

4. Learned counsel for the appellant submits that the appellant is innocent and has been falsely implicated in this case. It is further submitted that there is no specific allegation against the appellant, and the allegations are general and omnibus in nature. The appellant did not publicly mention the caste of the informant; hence, no offence under the provisions of the SC/ST Act is made out against him. He had no intention of disgracing the informant in public. It is also submitted that the appellant is in custody since 12.09.2025.

5. Learned Spl. P.P. for the State has opposed the grant of bail.

6. I have considered the submissions of the parties and perused the records of the case. Considering the fact that it was *Indal Yadav* who allegedly shot the deceased and no overt act is attributed to the appellant, the appeal is allowed. Consequently, the impugned order dated 18.10.2025 passed by the learned Exclusive Special Judge, SC/ST Act, Begusarai, in connection with Dandari P.S. Case No. 98 of 2025 is hereby set aside.



7. Accordingly, the appellant is directed to be released on regular bail upon furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor Court in connection with Dandari P.S. Case No. 98 of 2025.

8. It is made clear that any observation made herein is *prima facie* in nature and limited solely for the purpose of adjudication of the present bail application. Such observations shall not be construed as an expression on the merits of the case and shall not influence the trial or any other proceedings in any manner.

(Sandeep Kumar, J)

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