

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.5068 of 2025

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

Gaurav Kumar @ Gaurav Yadav Son of Indal Yadav R/o Village - Rajopur,
Ward No. 6, P.S. - Dandari, District - Begusarai.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

with

CRIMINAL APPEAL (SJ) No. 4654 of 2025

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

Dilkhush Yadav S/o Ram Ratan Yadav @ Ramratan Yadav @ Ramjatan
Yadav R/o vill, ward no. 2, Rajopur, Katarmala, P.S. - Dandari, Distt.-
Begusarai

... .. Appellant/s

Versus

1. The State of Bihar
2. Lalo Devi W/o Hareram Paswan R/o vill - Rajopur, ward no. 3, P.S.-
Dandari, Distt.- Begusarai

... .. Respondent/s

Appearance :

(In CRIMINAL APPEAL (SJ) No. 5068 of 2025)

For the Appellant/s : Mr. Sandip Kumar Gautam, Advocate

For the Respondent/s : Mr. Binay Krishna, APP

(In CRIMINAL APPEAL (SJ) No. 4654 of 2025)

For the Appellant/s : Mr. Vinod Kumar Seth, Advocate

Mr. Arvind Kumar

For the Respondent/s : Mr. Binay Krishna, Spl. PP

For the Informant : Md. Mumtaj Uddin, Advocate

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR

ORAL ORDER

3 10-04-2026 These cases arise out of the same P.S. Case, i.e.,

Dandari P.S. Case No. 98 of 2025; therefore, they have been

heard together and are being disposed of by this common order.

2. Heard learned counsel for the appellants and



learned Special Public Prosecutor for the State as well as the learned counsel for the informant.

3. *Cr. Appeal (SJ) No. 5068 of 2025* has been preferred by the appellant, *Gaurav Kumar @ Gaurav Yadav*, against the order dated 18.10.2025, and *Cr. Appeal (SJ) No. 4654 of 2025* has been preferred by the appellant, *Dilkhush Yadav*, against the order dated 26.09.2025, both 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, whereby the learned court below rejected the prayer of the appellants for grant of regular bail.

4. As per the prosecution case, altogether ten persons are alleged to have intercepted the deceased, after which one *Indal Yadav* is said to have shot and killed him. The present appellants are alleged to have, along with other co-accused persons, verbally abused the informant and her husband with caste-related slurs.

5. Learned counsel for the appellants submits that the appellants are innocent and have been falsely implicated in this



case. It is further submitted that there is no specific allegation against the appellants and the allegations are general and omnibus in nature. It is also contended that the appellants did not publicly mention the caste of the informant; hence, no offence under the provisions of the SC/ST Act is made out against them, and there was no intention on their part to humiliate or disgrace the informant in public. It is further submitted that appellant *Gaurav Kumar @ Gaurav Yadav* is in custody since 08.10.2025 and appellant *Dilkhush Yadav* is in custody since 01.08.2025.

6. Learned Special Public Prosecutor for the State and the learned counsel for the informant have opposed the prayer for bail.

7. Having considered the submissions of the parties and upon perusal of the materials available on record, it appears that the specific allegation of firing causing death is attributed to *Indal Yadav*, and no overt act has been attributed to the present appellants.

8. In view of the aforesaid facts and circumstances, both the appeals are allowed. Consequently, the impugned orders dated 18.10.2025 and 26.09.2025 passed by the learned Exclusive Special Judge, SC/ST Act, Begusarai, in connection



with Dandari P.S. Case No. 98 of 2025 are hereby set aside.

9. Accordingly, the appellants, above-named, are directed to be released on regular 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 Court below where the case is pending/successor court in connection with Dandari P.S. Case No. 98 of 2025.

10. 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 applications. 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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