

**IN THE HIGH COURT OF JUDICATURE AT PATNA  
CRIMINAL APPEAL (SJ) No. 5128 of 2025**

Arising Out of PS. Case No.-136 Year-2017 Thana- BIKRAMGANJ District- Rohtas

Ashok Yadav @ Ashok Kumar S/O Late Shivnath Singh R/O Village and P.O-  
Dhangai, P.S- Bikramganj, Distt.- Rohtas, Bihar- 802212.

... .. Appellant/s

Versus

1. The State of Bihar
2. Saroj Kuwar W/O Late Saheb Prasad R/O Village and P.O- Dhangai, Ward  
No. 9, P.S- Bikramganj, Distt.- Rohtas, Bihar- 802212.

... .. Respondent/s

**Appearance :**

|                      |   |                                      |
|----------------------|---|--------------------------------------|
| For the Appellant/s  | : | Mr. Roshan Kumar, Advocate           |
| For the Respondent/s | : | Mr. Sadanand Paswan, Spl. P.P        |
|                      |   | Mr. Shashi Shekhar, Advocate         |
|                      |   | Mr. Dharmendra Kumar Singh, Advocate |

**CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR**  
ORAL ORDER

4      17-07-2026                      Heard learned counsel for the appellant and learned  
Special Public Prosecutor for the State.

2. The instant appeal has been filed seeking grant of bail and setting aside the order dated 24.09.2025 passed by the learned Special Judge, SC/ST (Prevention Of Atrocities) Act, 1989, Sasaram, Rohtas in Anticipatory Bail Petition No. 447 of 2017 arising out of Bikramganj P.S. Case No. 136 of 2017, for the offence punishable under Sections 147, 148, 149, 323, 324, 307, 379 and 384 of I.P.C. and Sections 3(i)(r)(s) of the Scheduled Castes & the Scheduled Tribes (Prevention Of Atrocities) Act, 1989.

3. As per the prosecution, on 12.05.2017 at about



10:00 A.M, the informant returned home from Banaras, then the accused persons armed with lathis, rods and other weapons, forcibly entered her house, abused her by using caste-indicative words and assaulted her and family members by, causing injuries on her head, face and left shoulder. It is further alleged that the accused persons looted jewellery, gold chain, locket, cash, household articles and LG colour television. The informant alleged that the occurrence took place because Ashok Yadav demanded Rs. 50,000 annually as rangdari, which she refused to pay.

4. Learned counsel for the appellant submits that the present F.I.R. is a counterblast to Bikramganj P.S. Case No. 135 of 2017. He further submits that no caste-based abuse was made in public view which is essential ingredients of SC/ST Act. Learned counsel for appellant also submits that entire story framed by the informant is concocted and no witness has supported the alleged occurrence. He lastly submits that allegation against the appellant is general and omnibus with no specific allegation against the appellant.

5. Learned Special Public Prosecutor for the State vehemently opposed the prayer for bail of the appellant.

6. In the present facts and circumstances of this case,



considering the fact that there is general and omnibus allegation against the appellant, therefore, let the above named appellant be released on bail, in the event of arrest or surrender before the Trial Court within a period of six weeks, on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) as mentioned in Section 2(1)(d) of the B.N.S.S., 2023 to the satisfaction of the learned Special Judge, SC/ST (Prevention Of Atrocities) Act, 1989, Sasaram, Rohtas in connection with Bikramganj P.S. Case No. 136 of 2017, subject to the conditions as laid down U/s 482(2) of the B.N.S.S., 2023.

7. Accordingly, the order dated 24.09.2025 passed by the learned Special Judge, SC/ST (Prevention Of Atrocities) Act, 1989, Sasaram, Rohtas, in Anticipatory Bail Petition No. 447 of 2017 arising out of Bikramganj P.S. Case No. 136 of 2017 is hereby set aside and the present appeal stands allowed.

**(Alok Kumar, J)**

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