

In the Court of Smt. Madhu Agrawal, Distt. and Addl. Sessions Judge, 1st-cum Special Judge, SC/ST Act, Sheikhpura.

**Anticipatory Bail Petition. No. 90/2026.**

**Sheikhpura SC/ST P.S. Case No:- 08/2025**

1. Bachhu Yadav, Aged about - 49 years, S/o – Bhagwat Yadav
2. Kundan Yadav, Aged about 42 Years, S/o - Chandar Yadav
3. Lachho Yadav @ Laxman Yadav, Aged about 48 Years, S/o Balkun Yadav @ Balkum Yadav

All Resident of Village - Sijhori, P.S – Karanday, District - Sheikhpura

..... Accused/petitioners.

Versus

The State of Bihar.

o.p.

.....  
For the petitioners:-

Sri. Shyam Kishore Kumar, Ld. Advocate

For the state:-

Sri Chandra Mauleshwar Prasad, Ld. Special. P.P.

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**ORDER**

**10.03.2026.** Anticipatory Bail petition filed on behalf of the accused/petitioners namely 1. Bachhu Yadav, 2. Kundan Yadav and 3. Lachho Yadav @ Laxman Yadav, who are apprehending their arrest in connection with Sheikhpura SC/ST P.S. Case No. 08/2025 under sections - 126 (2), 115(2), 352, 351, 3 (5) of B.N.S and Sec. 3 (1) (r) (s), 3 (2) (va) of SC/ST Act is moved today.

Heard the learned counsel for the petitioners and the learned Spl. P.P. for the State.

The prosecution case in brief is that on dated 01.10.2024, at about 4 pm, complainant Rajaram Manjhi was planting mango and guava on land in Mouza Sijhori, Tauji No. 2326, Khata No. 137, Khesra No. 1332, Rakba 1 acre 34 decimal. At the same time, 1. Bachhu Yadav, 2. Kundan Yadav, 3. Lacho Yadav, all residents of Sijhori, P.S Karande, District Sheikhpura, came to the complainant's land with lathi in their hands and started abusing the complainant by calling him Manjhi and Musahar, and assaulted him with punching and fists. All three accused persons uprooted and destroyed 20 trees, including 10 mango and 10

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guava trees. The complainant had fenced the land with bamboo, which the three accused persons uprooted and threw around. All the accused persons said, that "Sala Maderchod Mushar." they will destroy house and drive him away. Then the complainant's family and uncles, Amirak Manjhi and Hareram Manjhi, came to rescue the complainant. A video of the incident is on the complainant's mobile phone. All the accused persons involved in the incident as the complainant belong to the Scheduled Caste. The accused persons, knowing that the members are Musahars, have threatened to commit bloodshed for the above land. That in light of the above incident, the complainant had filed an application at Karande Police Station on 02.10.24. When no action was taken by Karande Police Station, then he filed an application at SC/ST Police Station, Sheikhpura on 05.10.24, but the SC/ST Police Station, Sheikhpura, also did not register the complainant's case. That the complainant, applied for registration of a case through registered post on 26.11.24 to the S.H.O, SC/ST, Sheikhpura, S.H.O, Karande, Superintendent of Police, Sheikhpura, and Deputy Superintendent of Police, Sheikhpura, but till date the complainant's case has not been registered and sent to the Ld. Court. Then, out of helplessness, the complainant has filed a case in the Ld. Court.

The learned counsel for the petitioners submitted that the petitioners are innocent and have not committed any offence and falsely been implicated in this case. It has been further submitted that prior to this no any other bail application has been filed either in this court or before the Hon'ble High Court, Patna. It has been submitted that petitioners have no any criminal antecedent. It has been further submitted that from perusal of the FIR that the incident occurred on 01.10.2024, but the complaint was filed on 02.12.2024, i.e., two months later. The informant has not made any clear mention of the delay in filing the FIR. It has been further submitted that case was filed under Sections 126(2), 115, 324, 352, 351, 3(5) of the B.N.S and Sec. 3 (1) (r) (s), 3 (1) (c), 3 (1) (h) & Sec. 3 (2) (va) of SC/ST Act. The charge sheet was submitted by the investigating officer under Section 126(2), 352, 3(5) of the BNS sections 3(1) (r) (s) & Sec. 3 (2) (va) of SC/ST Act, in which all sections are bailable in nature and Sec. SC/ST have been made to make the case serious in nature. It has been further submitted from perusal of paragraphs 41 and 42 of the case diary of the investigating officer has already given the benefit to the petitioners of section 35(3) BNS and filed the charge sheet in the Ld. Court.

On the other hand, the learned Special P.P. for the state opposed the prayer of bail and also submitted that A.B.P. is not maintainable and further submitted that finding the

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case true charge sheet has been submitted against the petitioners. Accordingly, prayer has been made to reject the Anticipatory bail petition filed on behalf of the accused petitioners as named above.

I have heard the rival submission of both the parties and perused the case record along with the case diary. The allegation against the petitioners is that they abused the informant with his caste name. There is sufficient materials in the case diary to show the complicity of the accused petitioners in the alleged offences. Finding the case true against the petitioners, charge sheet has been submitted U/ss- 126 (2), 352, 3 (5) of B.N.S. and Sec. 3 (1) (r) (s) and Sec. 3 (2) (va) of SC/ST Act. As para 3 of the bail petition and para 22 of the case diary, the petitioners have no any criminal antecedent.

Considering the above mentioned facts and circumstance of the case, nature of allegation, gravity of the offence and keeping in view the provisions contained in Section 18 of Scheduled Caste and Scheduled Tribes ( Prevention of Atrocities ) Act, no anticipatory bail shall lie. Accordingly prayer for grant to the anticipatory bail of accused-petitioners namely, 1. Bachhu Yadav, 2. Kundan Yadav and 3. Lachho Yadav @ Laxman Yadav, are hereby rejected.

Any observation made herein will be inconsequential during trial or any further stage of the case.

Dictated.

Distt. and Addl. Sessions Judge-1st  
cum Special Judge, SC/ST Act,  
Sheikhpura.  
10.3.2026

Date of Judgment /Order	10.03.2026
Date of Reserving Judgment/Order	10.03.2026
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