

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.4216 of 2018

Arising Out of PS. Case No.-61 Year-2014 Thana- MAGADH UNIVERSITY District- Gaya

Bhola Manjhi S/o Bilas Manjhi Resident of Village-Arjun Bigha,P.S. Magadh
University, Distt.-Gaya

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

with

Criminal Appeal (SJ) No. 4310 of 2018

Arising Out of PS. Case No.-61 Year-2014 Thana- MAGADH UNIVERSITY District- Gaya

Surendra Manjhi @ Surendra Mandal, Son of Jatan Manjhi, Resident of
Village- Arjun Bigha, Post - Jindapur, P.S. Magadh University, District- Gaya.

... .. Appellant/s

Versus

The State of Bihar.

... .. Respondent/s

Appearance :

(In Criminal Appeal (SJ) No. 4216 of 2018)

For the Appellant/s : Mr. Deepak Kumar, Advocate

For the Respondent/s : Smt Usha Kumari No-1, SPP

(In Criminal Appeal (SJ) No. 4310 of 2018)

For the Appellant/s : Mr. Jitendra Narain Sinha, Advocate

For the Respondent/s : Sri Sadanand Paswan, SPP

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL JUDGMENT

Date : 20-12-2018

Heard learned counsel for the parties.

Both these appeals, under Section 14(A)(2) of the
Scheduled Castes and Scheduled Tribes (Prevention of
Atrocities) Act, 1989, against the refusal of prayer for bail by
the learned Special Judge (S.C./S.T. Act), Gaya, in connection



with Magadh University Police Station Case No.61 of 2014, registered under Sections 147/149/341/323/325/302/504 of the Indian Penal Code and Section 3(2)(v) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

During a punchayati 14 FIR named accused persons allegedly assaulted to the father of the informant as a result whereof he died. The appellants are also named among the 14 persons. The post mortem report would reveal that the injury on the abdomen, caused by hard and blunt substance, was cause of death due to shock and haemorrhage.

Submission is that for single wound 14 persons cannot be forced to remain in jail. Some other co-accused Bilash Manjhi, Lakhan Manjhi and Umesh Manjhi have already been allowed bail by different coordinate Benches of this Court.

Considering the aforesaid facts, let the appellants, above named, be released on bail on furnishing bail bond of Rs.20,000/- (Twenty Thousand) each with two sureties of the like amount each to the satisfaction of the learned Court-below where the case is pending in connection with the aforesaid case, with condition that the appellants shall fully cooperate with the investigation/trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the appellants.



Accordingly, the impugned order is set aside and
appeals are allowed.

(Birendra Kumar, J)

Mkr./-

AFR/NAFR	NAFR
CAV DATE	NA
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