

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.2464 of 2019**

Arising Out of PS. Case No.-356 Year-2015 Thana- TEKARI District- Gaya

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RAMASHISH MANJHI Son of Mahesh Manjhi Resident of Village-
Mahamana Bhuyi Tali, P.S.- Tekari, District- Gaya.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

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Appearance :

For the Appellant/s : Mr.Ashok Kumar

For the Respondent/s : Mr.Sadanand Paswan

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**CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL**

ORAL ORDER

4 05-08-2019 Heard learned counsel for the appellant and
learned Spl. PP for the State.

This is an appeal under Section 14(A)(2) of the SC/ST Act against the refusal of prayer for bail vide order dated 14.02.2019 passed by learned Special Judge, SC/ST Act, Gaya in Tekari P.S. Case No. 356 of 2015 registered under Sections 147, 148, 149, 341 and 302 of the Indian Penal Code, Section 27 of the Arms Act and Sections 3(ii)(v) of the SC/ST Act.

While the informant was proceeding to some other village along with her son on bicycle, eight named accused persons intercepted them. They segregated her and on the order of the seven named accused persons including the appellant, co-



accused Pankaj Kumar gunned down her son.

It is submitted by learned counsel for the appellant that the appellant has no concern with the aforesaid occurrence. He has been falsely implicated in the case due to dirty village politics. The only allegation levelled against the appellant is that he along with other accused persons exhorted Pankaj to assault the deceased. Aforesaid allegation levelled against the appellant is not specific rather general and omnibus in nature. Appellant does not happen to be assailant. Two other co-accused persons who also happen to be order giver have been ordered to be released on bail by a co-ordinate Bench of this Court vide order dated 24.08.2016 within four months if all the witnesses were not examined within the stipulated period and uptill now only mother of the deceased who happens to be sole eye witness of the occurrence has been examined by the prosecution. Appellant has no criminal antecedent.

Learned Spl. PP for the State opposed the prayer for bail.

In the facts and circumstances of the case, the above named appellant is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the



learned Special Judge, SC/ST, Gaya in connection with Tekari
P.S. Case No. 356 of 2015.

Accordingly, the impugned order is set aside and
appeal is allowed.

(Prakash Chandra Jaiswal, J)

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