

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.5150 of 2019**

Arising Out of PS. Case No.-363 Year-2019 Thana- MASAUDHI District- Patna

=====

PASIYA MANJHI @ PASIYA MANGHI Son of Dinesh Manjhi Resident of
Village-Rewania, P.S.-Bhagwanganj, District-Patna.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

=====

Appearance :

For the Appellant/s : Mr.Sheo Nandan Pandit

For the Respondent/s : Mr.Usha Kumari 1

=====

CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA

ORAL ORDER

2 02-12-2019 Heard learned counsel for the Appellant and
learned counsel for the State.

This is an appeal under Section 14(A) (2) of the
SC/ST Act against the refusal of prayer for anticipatory bail
vide order dated 11.09.2019 passed by Additional District
Judge – XXth cum Spl. Judge, SC/ST, Act, Patna in
connection with A.B.P. No. 5182 of 2019/Masaurhi P.S.
Case No. 363 of 2019 for the offence registered under
Sections 448, 341, 342, 302, 302, 201 and 34 of the Indian
Penal Code and Section 3(i) (r) (v) of the SC/ST Act and
Section ¾ of the Anti Witch Craft Act.



Learned counsel for the Appellant submits that so far as the allegation under the SC/ST Act is concerned, the same would not be applicable in the present case in view of the fact that both the parties are belonging to the same caste. It is further submitted that the allegation also as described in the first information report is more against one Munna Yadav and not against the present appellant. It is further submitted that there is no specific allegation against the appellant and he is quite innocent and has no criminal antecedent.

Having regard to facts and circumstances of the case, let the appellant, above named, in the event of his arrest/surrender before the learned court below within a period of four weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of Additional District Judge – XXth cum Spl. Judge, SC/ST, Act, Patna in connection with A.B.P. No. 5182 of 2019/Masaurhi P.S. Case No. 363 of 2019, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.



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

(Anjana Mishra, J)

Jagdish/-

U		T	
---	--	---	--

