

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.246 of 2020

Arising Out of PS. Case No.-347 Year-2018 Thana- WAJIRGANJ District- Gaya

Rewat Manjhi, Son of Ram Balak Manjhi, Resident of Village - Kanma,
Police Station - Tankuppa, District - Gaya.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Manish Kumar No2, Advocate.
For the Respondent/s : Mr.Sadanand Paswan, APP

**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

2 22-01-2020 Heard learned counsel for the appellant and the
learned Additional Public Prosecutor for the State.

This appeal, under Section 14(A)(2) of the
Scheduled Castes and Scheduled Tribes (Prevention of
Atrocities) Act, 1989, is directed against the order dated
07.12.2019 passed in B.P. No. 365 of 2019, whereby and
whereunder the learned Exclusive Special Judge, SC/ST Act,
Gaya, rejected the prayer for grant of bail of the appellant in
connection with Wazirganj P.S. Case No. 347 of 2018,
registered under Sections 302 and 201/34 of the Indian Penal
Code and Sections 3(2)(v) of the Scheduled Castes and
Scheduled Tribes (Prevention of Atrocities) Act.

The persecution case, in brief, is that four persons



named in the FIR including the petitioner accompanied to Ram Bilash Choudhary, brother of the informant, Pannu Choudhary, but his brother did not return and in course of search, the dead body of his brother, Ram Bilash Choudahry was found in the forest.

Learned counsel for the appellant submits that appellant and three others have been implicated in the present case mere on suspicion only on the ground that they had gone with the deceased and none had seen the occurrence. Further submission is that similarly situated co-accused, Krishna Yadav, has already been allowed privilege of bail by a Bench of this court vide order dated 04.07.2019 passed in Criminal Appeal (SJ) No. 1856 of 2019. It is further submitted that while the prayer for bail of the appellant was earlier rejected on 24.06.2019 vide Criminal Appeal (SJ) No. 1626 of 2019 with direction to the court below to conclude the trial as expeditiously as possible preferable within six months of framing charge but till today, trial of the appellant has not been concluded and the appellant is in custody since 08.01.2019.

Having considered the facts and circumstances of the case, the impugned order is set aside and this appeal is allowed.

Let the appellant, above named, is directed to be



released on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Judge, SC/ST Act, Gaya, in connection with Wazirganj P.S. Case No. 347 of 2018. Out of two sureties, one surety must be the close relative of the appellant.

(Rajendra Kumar Mishra, J)

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