

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL APPEAL (SJ) No.1076 of 2021**

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

SHOBHI MANJHI Son of Late Basu Manjhi Resident of village - Kanwa,  
Police Station - Tankuppa (Wazirganj), District - Gaya.

... .. Appellant/s

Versus

THE STATE OF BIHAR

... .. Respondent/s

**Appearance :**

For the Appellant/s : Mr.Gajendra Kumar Singh  
For the Respondent/s : Mr. Spl. P.P.

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH**  
**ORAL ORDER**

2      02-03-2021                      Heard learned counsel for the appellant and learned  
Special P.P. for the State.

The present appeal has been filed against the order dated 05.11.2020 passed by learned Exclusive Special Judge, SC/ST Act, Gaya, in connection with Wazirganj P.S. Case No. 347/2018 registered for the offences punishable under Sections 302/201/34 of the Indian Penal Code and Sections 3(2)(v) of the Scheduled Caste and Scheduled Tribe (Prevention of Atrocities) Act, whereby the prayer for bail of appellant was rejected.

As per the prosecution case, four persons have been named in the FIR including this appellant 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 Choudhary was found in the



forest.

It is submitted on behalf of the appellant that this appellant has been made accused only on the basis of suspicion that the deceased had been seen last with the appellant, except suspicion, there is no other material to connect this petitioner in connection with the present case. It is further submitted that there is no eye-witness to the occurrence. It is next submitted that similarly situated co-accused persons have already been granted bail by this Hon'ble Court vide order dated 04.07.2019 passed in Cr. Appeal (SJ) No. 1856 of 2019 and vide order dated 22.01.2020 passed in Cr. Appeal (SJ) No. 246 of 2020. Appellant has no criminal antecedent and he is in custody since 19.09.2020.

Considering the aforesaid facts and circumstances as well as nature of allegation, the impugned order dated 05.11.2020 passed by learned Exclusive Special Judge, SC/ST Act, Gaya, in connection with Wazirganj P.S. Case No. 347/2018 is set aside and appeal is allowed.

Accordingly, let the appellant, above named, be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Exclusive Special Judge, SC/ST Act,



Gaya in connection with Wazirganj P.S. Case No. 347/2018.

**(Prabhat Kumar Singh, J)**

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