

**IN THE HIGH COURT OF JUDICATURE AT PATNA  
CRIMINAL APPEAL (SJ) No 1291 of 2021**

Arising Out of PS. Case No.-128 Year-2020 Thana- KOCHAS District- Rohtas

MANOJ KESHARI Son of Shriram Keshri Resident of Village - Kochas  
Ward -11, P.S.- Kochas, District - Rohtas.

... .. Appellant/s

Versus

THE STATE OF BIHAR

... .. Respondent/s

**Appearance :**

|                      |   |                                                            |
|----------------------|---|------------------------------------------------------------|
| For the Appellant/s  | : | Mr D K Sinha, Sr Advocate with<br>Mr Abhinay Raj, Advocate |
| For the Respondent/s | : | Mr Binay Krishna, Special PP                               |

**CORAM: HONOURABLE MR JUSTICE MADHURESH PRASAD**

**ORAL JUDGMENT**

**Date : 28-06-2021**

This case has been listed today for consideration through  
Video Conferencing.

**2** Heard learned senior counsel for the appellant and  
the learned Special PP for the State.

**3** The appellant has preferred the present Appeal  
under Section 14 - A (2) of Scheduled Castes and Scheduled  
Tribes (Prevention of Atrocities) Act (for brevity, *SC/ST Act*)  
against the refusal of his prayer for regular bail vide order  
dated 05.01.2020 passed in Reg Case No 178 of 2020 by  
Additional Sessions Judge I -cum- Special Judge, Rohtas at  
Sasaram in a case registered under Sections 342, 323, 307,  
504, 506/34 of Indian Penal Code and Sections 3 (i) (R) (S) of  
SC/ST Act in connection with Kochas Police Station (for  
brevity, *PS*) Case No 128 of 2020.



4 There is allegation that co-accused Vinod Keshari along with the appellant and other co-accused persons have abused the informant by caste name and threatened him to withdraw the earlier cases.

5 It is submitted by the learned senior counsel for the appellant that from perusal of the injury report, it is obvious that, one grievous injury sustained by victim Abhishek Kumar, as per prosecution case, is attributed to co-accused Vinod Keshari. Appellant has been levelled general and omnibus allegations and the number of injuries, found on Abhishek Kumar, does not corroborate the allegation levelled against all the accused persons. The appellant has, in the circumstances, been in custody since 18.11.2020. It is further submitted that there are two cases pending against the appellant from before.

6 Learned Special PP has opposed the prayer for bail.

7 In my opinion, in view of nature of accusation in the First Information Report, and submission of parties, a case for grant of regular bail is made out. The impugned order dated 05.01.2020 requires interference by this Court, which is, accordingly, set aside.

8 This appeal is allowed. The impugned order dated 05.01.2020 passed in Reg Case No 178 of 2020 by Additional Sessions Judge I -cum- Special Judge, Rohtas at Sasaram in connection with Kochas PS Case No 128 of 2020 is set aside.

9 Let the appellant above named be released on bail on his furnishing bonds of Rs 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of



Additional Sessions Judge I -cum- Special Judge, Rohtas at Sasaram in Reg Case No 178 of 2020 arising out of Kochas PS Case No 128 of 2020 subject to the following conditions:

(1) That one of the bailors will be a close relative of the appellants who will give an affidavit giving genealogy as to how he is related with the appellant. The bailor will also undertake to inform the Court if there is any change in the address of the appellant.

(2) That the appellant will be well represented on each date and if he fails to do so on two consecutive dates, his bail will be liable to be cancelled.

**(Madhuresh Prasad, J)**

**M.E.H./-**

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| AFR/NAFR          | NAFR       |
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