

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.891 of 2020

Arising Out of PS. Case No.-1 Year-2020 Thana- SISWAN District- Siwan

MANOJ KUMAR SINGH Son of Prabhunath Singh @ Prabhu Singh
Resident of Village - Gangpur, P.S.- Siswan, Distt - Siwan.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Chandra Mohan Jha

For the Respondent/s : Mr.Usha Kumari 1

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL ORDER

2 09-02-2021 Learned counsel for the appellant is directed to
remove the defect(s), as pointed out by the office, within a
period of four weeks.

Heard the parties.

The matter relates to grant of anticipatory bail to the
appellant in connection with Siswan P.S. Case No. 01 of 2020
registered for the offences under Sections 341, 323, 504, 506,
385 of the Indian Penal Code and Sections 3(i)(r)(s) of the
SC/ST Act.

Prosecution case in short is that the appellant is posted
as Prakhand Sadhan Sevi MDM scheme, Siswan. It is alleged
that while the work of rice lifting was going on, the appellant
reached there and started abusing the informant by taking his
caste name. It is also alleged that ransom of Rs. 40,000/- was
demanded by the appellant from the informant.

It has been submitted on behalf of the appellant that there
is no allegation of tampering of witnesses alleged against the



appellant. The appellant has falsely been implicated in the present case. Due to previous enmity, the present case has been instituted against the appellant. The alleged occurrence has not taken place within the public view. Hence, no offence under the provisions of SC/ST Act is attracted in the present case.

On behalf of the State, it is submitted that the appellant is named in the Complaint Case/F.I.R.

In view of the aforesaid facts and circumstances, the order dated 07-02-2020 passed by learned Additional Sessions Judge-Ist-cum-Special Judge, Siwan in Siswan P.S. Case No. 01 of 2020 is set aside. The present Criminal Appeal is *allowed*.

Accordingly, let the appellant, above named, in the event of arrest or surrender before the learned court below within a period of eight weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-Ist-cum-Special Judge, Siwan in connection with Siswan P.S. Case No. 01 of 2020.

(Sudhir Singh, J)

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