

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.2142 of 2020

Arising Out of PS. Case No.-74 Year-2019 Thana- COMPLAINT CASE District- Supaul

1. Amod Manjhi, aged about 46 years, Male, S/o Late Ganeshi Manjhi Resident of Village-Babhani, Babhari, Ward No.4, P.S. and District-Supaul.
2. Vinod Manjhi, aged about 48 years, Male, S/o Late Ganeshi Manjhi Resident of Village-Babhani, Babhari, Ward No.4, P.S. and District-Supaul.
3. Parmanand Manjhi, aged about 41 years, Male, S/o Late Darap Manjhi Resident of Village-Babhani, Babhari, Ward No.4, P.S. and District-Supaul.
4. Panchanand Manjhi @ Panchu Manjhi, aged about 38 years, Male, S/o Late Darap Manjhi Resident of Village-Babhani, Babhari, Ward No.4, P.S. and District-Supaul.
5. Hira Manjhi, aged about 46 years, Male, S/o Late Darap Manjhi Resident of Village-Babhani, Babhari, Ward No.4, P.S. and District-Supaul.

... .. Appellant/s

Versus

1. The State of Bihar
2. Medni Devi W/o Bechu Sada @ Bechan Sada Resident of Village-Babhani, Ward No.4, P.S. and District-Supaul.

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Nafisuzzoha
For the Respondent/s : Mr.A.G.

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

2 26-02-2021 Heard learned counsel for the appellants and
counsel for the State.

The present appeal is directed against the order dated 7.7.2020 passed in A.B.A. No. 311 of 2020 whereby learned Additional District & Sessions Judge 1st Cum Special Judge, Supaul has rejected the prayer for grant of anticipatory bail to the appellants in connection with Complaint Case No. 74c/2019 registered for offence under Sections 341, 323, 354A, 379 of the



Indian Penal Code and Sections 3(i)(r)(s) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.

As per allegation, on the fateful day, while the victim lady was in her house alone as her husband had gone outside for earning daily wages, the accused persons came at her house and the accused Amod Manjhi entered into her room, caught her hair and abused her by taking her caste name as also tried to outrage her modesty. Not only that, the accused persons have also assaulted her.

Learned counsel for the appellants submits that it is completely a false case and submits that the Complainant, instead of going to the police station, has straightway filed the complaint case against the accused persons, which itself shows the veracity of her statement.

Looking to the entire facts and circumstances of the case, let the appellants, above named, in the event of their arrest or surrender before the court below within a period of four weeks from today, be released 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 Additional District & Sessions Judge 1st Cum Spl. Judge, Supaul in connection with Complaint Case No. 74c/2019, subject to the conditions as laid



down under Section 438(2) of the Cr.P.C. as also subject to condition that whenever the police will call the appellants for investigation/interrogation, they will remain present and if they would not present themselves, the privilege of grant of anticipatory bail shall be deemed to have been canceled.

(Shivaji Pandey, J)

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