

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.3896 of 2021

Arising Out of PS. Case No.-384 Year-2021 Thana- MANER District- Patna

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1. SAURABH KUMAR @ MUNNA KUMAR, Son of Late Lalu Pandit
Resident of Village - Ward No.65, Rasulpur, P.s.- Maner, Distt.- Patna.
 2. MANJU DEVI W/o Late Lallu Pandit Resident of Village - Ward No.65,
Rasulpur, P.s.- Maner, Distt.- Patna.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Madahav Raj

For the Respondent/s : Ms.Usha Kumari 1

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR

ORAL ORDER

2 08-10-2021 Heard Mr. Madhav Raj, learned Advocate for

the appellants and Ms. Usha Kumari, learned Special

Public Prosecutor for the State.

The appellants have challenged the order dated

06.07.2021, passed by the learned A.D.J.-III-cum-

Special Judge, SC/ST, Patna, in A.B.P. No. 3994 of

2021, arising out of Maner P. S. Case No. 384 of 2021,



whereby the prayer made on behalf of the appellants for grant of anticipatory bail for the offences punishable under Sections 341, 323, 504 and 34 of the Indian Penal Code and Section 3(i)(r)(s) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989, has been rejected.

The accusation in the F.I.R. is that the appellants have abused and assaulted the informant and his associates.

It has been submitted that the appellant no. 2 is the Chairman of Maner Nagar Panchayat whereas the appellant no. 1 is the son of appellant no. 2. The aforesaid accusation has been made out of political vendetta to anyhow frame the appellants in this criminal case.

It appears that there is a dispute with respect to payment of wages. The informant and its associates wanted to take more payment than what was due to them and when this was objected, the aforesaid subject



F.I.R. has been lodged.

The learned counsel for the appellants has submitted that in the background facts, no offence under the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 can at all be said to have been made out.

For the afore-stated reasons, the order dated 06.07.2021, passed by the learned A.D.J.-III-cum-Special Judge, SC/ST, Patna, is set aside.

The appeal stands allowed.

The appellants, above-named, are directed to be released on bail, in the event of their arrest or surrender before the court below within a period of eight weeks from the date of receipt / production of a copy of this order, on their furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned A.D.J.-III-cum-Special Judge, SC/ST, Patna, in connection with Maner P. S. Case No. 384 of 2021,



subject to the conditions as laid down under Section 438
(2) Cr.P.C.

(Ashutosh Kumar, J)

skm/-

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