

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.580 of 2021

Arising Out of PS. Case No.-48 Year-2020 Thana- BUDHUCHAK District- Bhagalpur

Manjar Alam @ Nazir @ Md. Majish S/O Fakir @ Fakruddin R/O
Village/Mohalla- Madarsa Tola, Kishandaspur, P.S.- Budhuchak, District-
Bhagalpur

... .. Appellant/s

Versus

1. The State Of Bihar
2. Ravishek Kumar @ Tonu Mandal Late Dr.Shivnarayan Mandal Resident Of
Village-Subbanagar,P.S-Buddhuchak,District-Bhagalpur

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr.Swapnil Kumar Singh
For the Respondent/s	:	Mrs. Usha Kumari

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 18-10-2022 Heard learned counsel for the appellant and learned
Special Public Prosecutor for the State.

Though, the notice has been validly served upon the
respondent no. 2 but no one has appeared on his behalf.

This is an appeal under section 14(A)(2) of the Scheduled
Castes and Scheduled Tribes (Prevention of Atrocities) Act,
(hereinafter in short referred to as the 'SC/ST Act') against the
refusal of prayer for bail vide order dated 12.02.2020, passed by
learned 3rd Additional District and sessions Judge-cum-Special
Judge, Bhagalpur in connection with Budhuchak P.S. Case No.
48 of 2020, registered under Sections 307, 504, 506, 34 of the
IPC and Sections 3(i) (r) (S), 3 (2) (v)(va) of SC/ST Act.

It is submitted by learned counsel for the appellant that



the appellant is innocent and has been falsely implicated in this case due to land dispute. He submits that there is no specific overt act against the appellant to abuse the informant by taking caste name. He submits that there is specific allegation against co-accused Sonu Yadav and Rupesh Yadav. He further submits that appellant has no criminal antecedent as stated in para-3 of this appeal.

Considering the facts and circumstances of the case, let the above named appellant in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be enlarged on bail on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned 3rd Additional District and Sessions Judge-cum-Special Judge, Bhagalpur in connection with Budhuchak P.S. Case No. 48 of 2020, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

Accordingly, the impugned order is set aside and the appeal is allowed.

(Anjani Kumar Sharan, J)

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