

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.4226 of 2021

Arising Out of PS. Case No.-130 Year-2018 Thana- PARSA District- Saran

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Mantosh Manjhi @ Mantosh Kumar Manjhi Son Of Late Punkal Manjhi
Resident Of Village - Bajitpur, P.S.- Parsa, Distt.- Saran At Chapra.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

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Appearance :

For the Appellant/s : Mr.Chandra Mohan Jha
For the Respondent/s : Ms.Usha Kumari 1

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 01-09-2022 Heard learned counsel for the appellants and

learned Special P.P for the State.

The appellants have challenged the order dated

10.09.2021 passed by learned Additional Sessions

Judge-I-cum-Special Judge, SC/ST Act, Saran at Chapra

in connection with Parsa P.S. Case No. 130 of 2018

instituted for the offences punishable under Sections

302, 120(B), 201, 34 of the Indian Penal Code and

Section 3(2)(va) of the SC & ST (Prevention of

Atrocities) Act, whereby their prayer for being released

on anticipatory bail has been rejected.

It is a case for commission of murder of the



daughter of the informant namely Pinki Kumari.

It is submitted by learned counsel for the appellants that appellants have falsely been implicated in this case. The appellants were not named in the F.I.R. The name of the appellants transpired in this case on the confession of co-accused Vikash Kumar @ Vikesh Kumar who was interrogated by the police after being released on bail. The police has totally diverted the case of the appellants and family members on the confession of co-accused Vikash Kumar @ Vikesh Kumar who was arrested in connection with this case. The appellants themselves belong to the SC/ST community, hence, the provisions under SC/ST Act would not be applicable in the case of the appellants.

Learned Special P.P has vehemently opposed the prayer for anticipatory bail of the appellants.

Taking into account the aforesaid facts, this Court deems it appropriate to set aside the order dated 10.09.2021 passed by learned Additional Sessions



Judge-I-cum-Special Judge, SC/ST Act, Saran at Chapra
in connection with Parsa P.S. Case No. 130 of 2018.

Accordingly, this appeal is allowed.

The appellants, above named are directed to be released on bail in the event of their arrest or surrender within a period of four weeks from today and on their furnishing bail bonds of Rs. 10,000/-(ten thousand) each with two sureties of the like amount each to the satisfaction of learned 1st Additional Sessions Judge-cum-Special Judge, SC/ST Act, Saran at Chapra in connection with Parsa P.S. Case No. 130 of 2018.

(Sunil Kumar Panwar, J)

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