

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.4932 of 2021**

Arising Out of PS. Case No.-122 Year-2021 Thana- SHEIKHOPUR SARAI District-
Sheikhpura

ANANDI MANJHI S/o Budhan Manjhi R/o village- Panchi, P.S.- Sheikhopur
Sarai, District- Sheikhpura. Appellant.

Versus

The State of Bihar. Respondent.

Appearance :

For the Appellant/s : Mr. Bharat Lal
For the Respondent/s : Mr. Binay Krishna

**CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER**

2 12-05-2022 Heard learned counsel for the appellant and
learned Special Public Prosecutor for the State.

Learned counsel for the appellant undertakes to
remove the defects within four weeks. In the eventuality of non-
removal of defects within undertaken period, the office will
place the matter before the Bench.

This is an appeal under Section 14(A)(2) of the
Scheduled Castes and Scheduled Tribes (Prevention of
Atrocities) Act, 1989 (hereinafter in short referred to as the
'SC/ST Act') against the refusal of prayer for bail vide order
dated 09.12.2021 passed by learned 1st Additional Sessions
Judge, Sheikhpura in connection with Sheikhopur Sarai P.S.
Case No. 122 of 2021/SC/ST Case No.50 of 2021 registered
under Sections 147, 148, 149, 302, 504 & 506 of the Indian
Penal Code and Section 3(1) (r) (s) and 3 (2) (v) of the



Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.

The prosecution case, in brief, is that while the informant along with his father was returning towards his house after attending call of nature, all the F.I.R. named accused are said to have armed with pistol and gun surrounded him and they were very anguish and were abusing. Co-accused, Prahalad Kumar fired with his pistol on the chest of the father of the informant and he died on the spot and other accused persons fled away. The reason behind the occurrence is said to be illicit relation of co-accused Prahalad Kumar with Samful Devi, wife of the deceased, which was being objected by deceased father of the informant.

It is submitted by learned counsel for the appellant that no such occurrence as alleged ever took place. Appellant has been falsely implicated in the case due to dirty village politics. The allegation levelled against the appellant is not specific rather general and omnibus in nature. The only allegation against the appellant which has come on record is that he along with main accused Prahalad Kumar @ Sonu had threatened the deceased. Appellant has no criminal antecedent and has been languishing in custody since 17.11.2021.



Learned Spl. PP for the State opposed the prayer for bail.

In the facts and circumstances of the case, the above named appellant is directed to be released 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 1st Addl. Sessions Judge cum Special Judge SC/ST Act, Sheikhpura in connection with Sheikhopur Sarai P.S. Case No.122 of 2021/SC/ST Case No.50 of 2021.

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

(Anjani Kumar Sharan, J)

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