

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1010 of 2023**

Arising Out of PS. Case No.-173 Year-2022 Thana- ISUAPUR District- Saran

RAMU SAH @ RAM BABU SAH Son of Dipa Sah R/v- Rampur Atauli,
P.S.- Isuapur, District- Saran

... .. Appellant/s

Versus

1. The State of Bihar
2. Ram Lal Manjhi Son of Late Vishnu Manjhi R/v- Rampur Atauli, P.S.-
Isuapur, District- Saran

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr Suresh Prasad Singh. No. 1, Adv. Mr. Mukesh Kumar Rai, Adv.
For the Respondent/s	:	Mr.Sadanand Paswan, APP

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

6 18-05-2023 Heard the learned counsel for the appellant as well
as learned counsel for the informant.

This appeal has been preferred on behalf of the appellants under Section 14-A(2) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act for setting aside the order dated 17.12.2022 passed by the learned 3rd Additional Sessions Judge-cum-SC/ST Special Court, Saran in connection with Isuapur P.S. Case No. 173 of 2022, registered for the offences punishable under Sections 143, 341, 323, 324, 307, 302 of the Indian Penal Code & Section 3(i)(r)(s) 3(2)(v) of SC and ST (Prevention of Atrocities) Act, whereby the prayer for bail of the appellant has been rejected.



As per allegation, when the informant along with his son (deceased) reached near *bajrang bali sthan*, the accused persons including the appellant came there by a Scorpio vehicle. They forcibly boarded his son in that vehicle and they killed him by badly assaulting. The doctors declared him as dead.

The learned counsel for the appellant has submitted that the appellant is innocent and has falsely been implicated. On similar footing the other co-accused persons have been granted bail in Cr. APP (SJ) No. 540 of 2023 and analogous criminal miscellaneous petitions. He has further submitted that during investigation it has come that the deceased was a dreaded criminal of the society. He was accused in so many cases of loot, robbery, dacoity, murder etc. due to which several persons had animosity with him. Those persons who have aggrieved by the acts of the deceased might have killed him and the appellant has falsely been implicated.

On the other hand, the learned counsel for the informant has opposed the prayer for bail and submitted that the appellant is named in the FIR. He and other accused persons named in the FIR, badly assaulted the deceased resulting into his death.

The learned coordinate Bench considering the fact



that the deceased was wanted in so many cases and a number of persons were at inimical term with him, he might have been killed by those persons, has granted bail to other accused persons as mentioned above.

Considering the above-mentioned facts and circumstances, the appeal is allowed and the impugned order dated 17.12.2022 passed by the learned 3rd Additional Sessions Judge-cum-SC/ST Special Court, Saran is set aside.

Accordingly, the appellant, above-named, shall 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 3rd Additional Sessions Judge-cum-SC/ST Special Court, Saran in connection with Isuapur P.S. Case No. 173 of 2022.

(Nawneet Kumar Pandey, J)

SONALI/-

U		T	
---	--	---	--

