

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1118 of 2023

Arising Out of PS. Case No.-74 Year-2022 Thana- DARAUNDA District- Siwan

ALBELA MANJHI @ AYODHYA LAL MANJHI Son of Shree Manjhi R/v-
Katwar, P.S.- Daraunda, District- Siwan

... .. Appellant/s

Versus

1. The State of Bihar Bihar
2. DASHRATH MANJHI Son of Late Bikarma Manjhi R/v- Katwar, P.S.-
Daraunda, District- Siwan

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr. Ajay Kumar Tiwary
For the Respondent/s	:	Mrs. Usha Kumari I Mr. Udit Narayan Singh

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 02-08-2023 Heard learned counsel for the appellant, learned counsel
for the respondent no.2 and learned Special Public Prosecutor
for the State.

2. 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 of anticipatory bail vide order dated
23.01.2023, passed by learned 1st Additional Sessions Judge
cum Special Judge, Siwan, in connection with Daraunda P.S.
Case No.74 of 2022, registered under Sections 447, 341, 323,
302, 504, 506, 34 of the Indian Penal Code and Section 3 (2)
(va) of the Scheduled Castes and Scheduled Tribes (Prevention



of Atrocities) Act.

3. Allegedly, the appellant and other co-accused persons assaulted the informant and his family members due to which they sustained injuries. It is alleged that the daughter of the informant died during the course of treatment.

4. It is submitted by learned counsel for the appellant that no such occurrence as alleged ever took place. It is submitted by learned counsel for the appellant that the appellant has no concern with the aforesaid occurrence. He has been falsely implicated in the case. The allegation of assault levelled against the appellants is not specific rather general and omnibus in nature. There is no specific overt act against the appellant. Appellant has no criminal antecedent as mentioned in para-3 of this memo of appeal.

5. Learned Spl. PP for the State as well as learned counsel for the informant opposed the prayer for bail. It is submitted by the learned counsel for the informant the appellant is also involved in the present case. He further submits that as per the post-mortem report of the deceased, she died due to hemorrhagic shock due to head injury.

6. Having regards to the facts and circumstances of the case as well as considering the nature of offence, I am not inclined



to grant anticipatory bail to the appellant. The prayer for grant of bail on his behalf is hereby rejected.

7. This appeal is, accordingly, dismissed.

(Anjani Kumar Sharan, J)

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