

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.3235 of 2021

Arising Out of PS. Case No.-348 Year-2019 Thana- RAHUI District- Nalanda

MANOJ BIND @ MANOJ KUMAR S/o Parsuram Bind R/o Village-
Imlibigha, P.S.- Rahui (Wena), Distt.- Nalanda.

... .. Appellant/s

Versus

1. The State of Bihar.
2. Anil Paswan Late Ramashish Paswan Resident of Imli Bigha, P.S.- Rahui
Wean, District- Nalanda.

... .. Respondent/s

Appearance :

For the Appellant	:	Mr. Amresh Kumar Sinha, Advocate Mr. Saroj Kumar Choudhary, Advocate
For the State	:	Mr. Binay Krishna, Special P.P.
For Respondent No.2	:	Mr. Pankaj Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

- 3 12-04-2023 Heard learned counsel for the appellant and learned
Special Public Prosecutor for the State.

This is an appeal under Section 14(A)(2) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 (hereinafter referred to as 'the SC/ST Act') against the refusal of prayer of anticipatory bail vide order dated 22.03.2021, passed by learned 1st Additional Sessions Judge, Nalanda at Biharsharif in connection with Rahui (Wena) P.S. Case No.348 of 2019, registered under Sections 147, 148, 149, 341, 342, 302, 307, 504, 506 of the Indian Penal Code, Section 27 of the Arms Act as well as under Section 3(2)(va) of the SC/ST Act.



The appellant alongwith other co-accused persons are said to have killed the brother of the informant.

Learned counsel for the appellant submits that the appellant is innocent and has falsely been implicated in the present case. The appellant has got no criminal antecedent as stated in paragraph-3 of the memo of appeal. It is submitted that there is general and omnibus allegation against the appellant. It is further submitted that similarly situated co-accused, Pintu Bind @ Pintu Kumar has already been granted anticipatory bail by a co-ordinate Bench of this Court vide order dated 04.01.2021, passed in Criminal Appeal (SJ) No.882 of 2020.

Learned Special P.P. for the State opposed the prayer for grant of anticipatory bail to the appellant.

Taking into consideration the facts aforesaid, let appellant, above named, in the event of his arrest or surrender before the learned court below within a period of six weeks from today, 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 learned 1st Additional Session Judge, Nalanda at Biharsharif in connection with Rahui (Wena) P.S. Case No.348 of 2019, subject to the conditions laid down under Section 438(2) of the Cr.P.C.



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

(Anjani Kumar Sharan, J)

S.KUMAR/-

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