

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.3891 of 2023

Arising Out of PS. Case No.-17 Year-2023 Thana- TEGHRHA District- Begusarai

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MANOJ SAH S/O RAM VILAS SAH VILL- LAKHANPUR, PS-
BHAGWANPUR, DIST- BEGUSARAI

... .. Appellant/s

Versus

1. The State Of Bihar
2. Jitendra Paswan Son Of Naunulal Paswan R/O Village- Barauni-2, Post-
Barauni Dyorhi, Ps- Teghra, Dist- Begusarai

... .. Respondent/s

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Appearance :

For the Appellant/s : Mr.Ashok Kumar

For the Respondent/s : Mr.Sadanand Paswan

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 30-11-2023 Heard learned counsel for the appellant and learned
Special Public Prosecutor for the State.

2. The instant appeal has been filed by the appellant against the order dated 31.7.2023 passed by learned Exclusive Special Judge SC/ST (POA) Act, Begusarai, whereby the prayer for bail of the appellant in connection with Teghra P.S. Case no. 17 of 2023 under Sections 406, 420, 294/34 of the Indian Penal Code, section 138 of the N.I. Act and sections 3(i)(r)(w), 3(2) (va) of SC/ST Act was rejected.

3. According to the prosecution case, all the accused persons including the appellant will give a cheque of Rs. 4 lac to him. Co-accused Rajaram Rai executed hand note in favour of



the informant, thereafter, the appellant handed over the cheque of Rs. four lakh to the informant but due to insufficient amount the cheque was dishonored.

4. It is submitted by learned counsel for the appellant that appellant has been falsely implicated in this case due to dirty village politics. The appellant has not cheated anyone and no any direct allegation against him. He has not taken the caste name of the informant in public view as such, no offence is made out under the provisions of the SC/ST Act against him. He has got no criminal antecedent and languishing in judicial custody since 13.6.2023. Similarly situated co-accused Kundan Kumar was already been enlarged on bail granted by a co-ordinate Bench of the Court vide order dt. 26.7.2023 passed in Cr. Appeal (SJ) No. 2181 of 2023.

5. The appeal for bail is opposed by learned Spl. P.P. for the State.

6. Having heard learned counsel for the parties and taking into consideration that there is general and omnibus allegation against the appellant, the Court is inclined to allow this appeal. Accordingly, the appeal is allowed and the impugned order dated 31.7.2023 passed in connection with Teghra P.S. Case No.17 of 2023 is hereby set aside.



7. The appellant is directed to be enlarged on bail in connection with Teghra P.S. Case No.17 of 2023 on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Exclusive special Judge SC/ST (POA) Act, Begusarai.

(Sunil Kumar Panwar, J)

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