

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.3988 of 2023

Arising Out of PS. Case No.-425 Year-2022 Thana- KADAMKUAN District- Patna

RAHUL MANCHURIAN @ RAHUL KUMAR S/O SANT KUMAR SINGH
RESIDENT OF KAJIPUR, NAYA TOLA, ARYA KUMAR ROAD, PS.
KADAMKUAN, DIST. PATNA, BIHAR

... .. Appellant/s

Versus

1. The State of Bihar
2. SONA DEVI W/O PREMNATH RAM RESIDENT OF KAJIPUR, PIPAT
TAL, PS. KADAMKUAN, DIST. PATNA

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr.Sudhanshu Trivedi, Adv. Mr.Vivek Anand Amritesh, Adv. Mr.Nishant Kumar Jha, Adv.
For the Respondent/s	:	Mrs.Usha Kumari 1, Spl.P.P.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 23-08-2024 Heard learned counsel for the appellant and learned
Special Public Prosecutor for the State.

2. In compliance of the order of this Court, learned Spl.P.P.
for the State informed the respondent no.2 about her appearance
in the appeal but nobody appears on her behalf.

3. This is an appeal under section 14(A)2 of the Scheduled
Castes and Scheduled Tribes (Prevention of Atrocities)
Amendment Act, 2015 (hereinafter in short referred to as the
'SC/ST Act') against the refusal of prayer for anticipatory bail
vide order dated 21.11.2022, passed by learned Special Judge,
SC/ST, Patna, in connection with Kadamkuan P.S. Case No.425



of 2022, registered u/s 307, 506, 34 of the IPC, 27 of the Arms Act and sections 3(I)(r) of the SC and ST Act.

4. Allegation against the appellant is that he along with other co-accused persons fired upon the informant and her family members.

5. It is submitted by learned counsel for the appellant that the appellant is innocent and has not committed any offence. No such occurrence as alleged ever taken place. Appellant has been falsely implicated in the case with frivolous allegation. It is submitted that no offence under the SC/ST Act is made out against the appellant as there is no specific overt act against the appellant to abuse the informant or her family by taking caste name. No person has sustained any injury in the alleged occurrence. It is submitted that the appellant is working in a private job outside Patna and on the alleged date, he was not present in Patna rather he was on his duty. Appellant has one criminal antecedent.

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

7. Considering the facts and circumstances of the case, the appellant named above, in the event of his arrest or surrender before the learned Court below within a period of six weeks



from today, is directed to be released on bail on furnishing bail bond of Rs.25,000/- (Rs. Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned Special Judge, SC/ST, Patna, in connection with Kadamkuan P.S. Case No.425 of 2022, subject to the condition as laid down under section 438 (2) of the Cr.P.C.

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

(Anjani Kumar Sharan, J)

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