

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.143 of 2024

Arising Out of PS. Case No.-32 Year-2023 Thana- SC/ST District- Jamui

Ranjan Yadav son of Babu Lal Yadav resident of village- Tetariya, P.O. and P.S- Laxmipur , District- Jamui

... .. Appellant/s

Versus

- 1. The State of Bihar
- 2. Bhim Manjhi, son of Kewal Manjhi resident of village- Mangrar, P.S.- Laxmipur, District- Jamui

... .. Respondent/s

with

CRIMINAL APPEAL (SJ) No. 44 of 2024

Arising Out of PS. Case No.-32 Year-2023 Thana- SC/ST District- Jamui

Mukesh Yadav son of Pavrit yadav resident of village- Tetariya, p.o and p.s- Laxmipur , District- Jamui

... .. Appellant/s

Versus

- 1. The State of Bihar
- 2. Bhim Manjhi son of Kewal Manjhi, Resident of village- Mangrar, P.S.- Laxmipur, District- Jamui

... .. Respondent/s

Appearance :

(In CRIMINAL APPEAL (SJ) No. 143 of 2024)

For the Appellant/s : Mr. Akash Raj

For the Respondent/s : Ms. Usha Kumari 1

(In CRIMINAL APPEAL (SJ) No. 44 of 2024)

For the Appellant/s : Mr. Akash Raj

For the Respondent/s : Mr. Sadanand Paswan

CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND MALVIYA
ORAL ORDER

4 26-04-2024 Heard learned counsel for the appellants, learned Special Public Prosecutor for the State and learned counsel for the informant.

2. The instant appeal has been filed by the appellants



against the order dated 07.11.2023 passed by learned Additional Sessions Judge - I SC / ST (POA) Act, Jamui in connection with Jamui SC/ST P.S. Case No. 32 of 2023 registered under Sections 341, 323, 307, 504, 506/34 of IPC and Section 3(i)(r)(s), 3(2) (va) of SC/ST (POA) Act.

3. The appellants are alleged to have assaulted the informant by knife, iron rod, farsa and dagger due to which the informant got serious injuries.

4. Learned counsel for the appellants submits that the appellants have falsely been implicated in the present case. He further submits that the appellants have not taken the caste name of the informant in public view. Hence, no offence under the provisions of SC/ST Act is made out against them. The appellants are in custody since 20.10.2023.

5. On perusal of the FIR and impugned order dated 07.11.2023, it appears that on the basis of written report of the informant, FIR was lodged against three accused persons including the present appellants. On perusal of injury report, it appears that three injuries were found on the person of the informant, which are as follows:

(i) Cut injury over scalp of size (4cm x 1/2 cm 1/2 cm) over frontal region, (6cm x 1/2 cm x 1/2 cm) in right



temporal and 2cm x 1/2cm x 1/2 cm) in occipital region. All the injuries found on the vital part of the body.

6. Learned Special P.P. for the State and the informant have vehemently opposed the prayer for grant of bail.

7. Considering the aforesaid facts and circumstances of the case and the grievous injuries found on the vital part of the body of the informant, this Court is not inclined to grant bail to the appellant.

8. Accordingly, the prayer for bail of the appellants is hereby rejected.

9. However, the learned trial Court is directed to conclude the trial within a period of six months from the date of receipt of a copy of this order and if the trial is not concluded within the stipulated period, then the appellants may renew their prayer for bail before the trial Court and the trial Court shall grant bail to them.

(Ramesh Chand Malviya, J)

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