

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.224 of 2025

Arising Out of PS. Case No.-16 Year-2024 Thana- CHERKI District- Gaya

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Ramjee Manjhi, S/O Late Bineshar Manjhi Resident of Village- Stali Nagar,
P.S.- Cherki, District- Gaya

... .. Appellant/s

Versus

1. The State of Bihar
2. Upendra Ravidas S/O Ramkrit Ravidas R/O Village- Pramod Nagar,
Dirawan, P.S- Cherki, Distt.- Gaya.

... .. Respondent/s

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Appearance :

For the Appellant/s : Mr. Ujjawal Kumar Singh
For the Respondent/s : Ms. Usha Kumari 1

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 14-02-2025 1. Heard the learned counsel for the appellant and the
learned Special Public Prosecutor for the State.

2. The appellant has challenged the order dated
16.12.2024 passed by the learned Exclusive Special Judge,
SC/ST, Gaya in connection with B.P. No.3738 of 2024 arising
out of Cherki P. S. Case No.16 of 2024, instituted for the
offences under Sections 341, 323, 307, 385, 386, 387, 504 and
506/ 34 of the Indian Penal Code and Section 3(i)(r)(s), 3(2)(v-
a) of the Scheduled Castes & Scheduled Tribes (Prevention of
Atrocities) Act, whereby his prayer for grant of bail has been
rejected.

3. The learned counsel for the appellant submits that



the appellant has antecedent of two cases and the informant alleges that on 02.06.2024 at 11.00 A.M., he was engaged in construction of boundary wall, when the accused persons including the appellant came and demanded extortion of Rs.5 Lacs, thereafter Bhola assaulted him with phawra causing injury on head. Thereafter, Ram Briksh along with appellant assaulted by lathi and danda while Munarik assaulted by an iron rod.

4. The learned counsel appearing on behalf of the appellant submits that the appellant has been falsely implicated in the instant case by the informant. It is also submitted that SC/ST (P.O.A.) Act would not be applicable against the appellant as he also belongs to the SC community and from perusal of the allegation as alleged in the FIR, it would manifest that on account dispute relating to construction of boundary wall, the occurrence is alleged to have taken place. It is also submitted that allegation of demanding extortion is ornamental in order to give serious colour to the case. It is further submitted that appellant is in custody since 09.12.2024 and charge-sheet has been submitted.

5. Regard being had to the aforesaid submissions, the order dated 16.12.2024 is set-aside.

6. The appeal stands allowed.



7. The appellant, above-named, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs.5,000/- (Rupees Five Thousand) each with two sureties of the like amount each to the satisfaction of learned Exclusive Special Judge, SC/ST, Gaya in connection with B.P. No.3738 of 2024 arising out of Cherki P. S. Case No.16 of 2024.

(Satyavrat Verma, J)

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