

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.3014 of 2024

Arising Out of PS. Case No.-228 Year-2024 Thana- BARUN District- Aurangabad

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1. Mantu Yadav @ Manish Kumar @ Sri Mantu Yadav Son of Late Deo Nandan Prasad R/O- Ward No. 5, Khemda, Barun, P.S.- Barun, Distt.- Aurangabad
 2. Vikash Singh @ Vikash Kumar Singh Son of Pramod Singh R/O- 341A, Vidyapuripo Jhumari, Tilaiya, P.S.- Jhumari Tilaiya, Distt.- Kodarma (Jharkhand), At Present R/O- Adit Deva Mills Pvt Ltd. Barun, P.S.- Barun, Distt.- Aurangabad

... .. Appellant/s

Versus

1. The State of Bihar
2. Ranjit Kumar Son of Jagdish Paswan Village- Laltenganj, Madanpur, Distt.- Aurangabad

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr. Ashok Kumar Singh, Advocate
For the State	:	Mr. Usha Kumari 1, Spl. PP
For Respondent no.2	:	Ms. Leelawati Kumari, Advocate

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

6 12-11-2025 Heard learned counsel for the appellants, learned Special Public Prosecutor for the State and learned counsel for the respondent no.2.

2. The instant appeal has been preferred against the order dated 29.5.2024 passed in Anticipatory Bail Petition no.978 of 2024 by the learned Exclusive Special Judge, SC/ST (POA) Act-cum-1st Additional District & Sessions Judge, Aurangabad and for grant of anticipatory bail in connection with Barun P.S Case no.228 of 2024 registered under sections 304A, 506 and 34 of the Indian Penal Code and sections 3(1)(r)(s) and 3(2)(vi) of



the SC and ST (Prevention of Atrocities) Act, 1989.

3. As per the prosecution case, the informant states that UD Case no. 11 of 2021 was registered on 11.10.2021 against the appellants herein for the death of his brother. The informant states that his brother was forcibly made to climb an elevator without any protection in case he fell down accidentally. It is further stated that while forcing him to climb, the appellants had also pressurized and abused him in the name of his caste. It is further stated that so far as the complaint which led to registration of the UD case is concerned, the same was not in his handwriting but had been written by the appellant no. 2 and only signed by him on force being applied by appellant no. 1.

4. Learned counsel for the appellants submits that the appellants have been falsely implicated in the case. The relevant facts being that for an accident that had occurred on 10.10.2021 in which the brother of the informant had died, it is the informant herein who had lodged UD Case no. 11 of 2021 on 11.10.2021. After investigation, final form was submitted in the said case on 26.11.2021 which, as per the instructions received by the learned counsel, the same was accepted by the learned Court below. It is further stated that so far as the instant case is concerned, the same has been initiated on a typed complaint/petition having been sent by the informant by speed post more than two years



later on 14.5.2024 making vague and unsubstantiated allegations for which investigation is already concluded in the UD case with submission of the final form. The appellants have no criminal antecedent.

5. The appeal is opposed by learned Special Public Prosecutor for the State and learned counsel for the respondent no. 2.

6. Having heard learned counsel for the parties and taking into consideration the allegations against the appellants in the FIR, the submissions made as noted herein above, final form having been submitted in the UD case in the year 2021 and the instant petition having been filed several years later on 14.5.2024 together with the appellants not having any criminal antecedent, in the facts of the case, the Court is inclined to allow the instant appeal.

7. The appeal is allowed and the order dated 29.5.2024 passed in Anticipatory Bail Petition no. 978 of 2024 by the learned Exclusive Special Judge, SC/ST (POA) Act-cum-1st Additional District & Sessions Judge, Aurangabad is set aside.

8. It is directed that both the appellants above named, in the event of their arrest or surrender before the learned Court below within a period of four weeks, be released on anticipatory bail in connection with Barun P.S Case no.228 of 2024 on each



of them furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Judge, SC/ST (POA) Act-cum-1st Additional District & Sessions Judge, Aurangabad.

(Partha Sarthy, J)

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