

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.3650 of 2024

Arising Out of PS. Case No.-152 Year-2023 Thana- HAYAGHAT District- Darbhanga

Manoj Kumar Rai @ Manoj Kumar Ray @ Manoj Ray Son Of Mahendra Ray
Resident Of Village - Gorhari, P.O. - Narsara, P.S. - Hayaghat, District -
Darbhanga

... .. Appellant/s

Versus

1. The State Of Bihar
2. Guddu Kumar S/O Mahendra Paswan R/O Vill.-Bhawanipur, P.S- Hayaghat,
Distt.- Darbhanga.

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Subodh Kumar
For the Respondent/s : Mr. Usha Kumari 1

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

4 19-06-2025 Heard learned counsel for the appellant and learned
Spl. P.P. for the State.

2. As per the office notes dated 16.06.2025, notice
upon respondent no. 2 deemed to be validly served.

3. This is an appeal under Section 14A(2) of the
Scheduled Castes and Scheduled Tribes (Prevention of
Atrocities) Act, 1989 against the rejection of prayer of bail of
the appellant vide order dated 16.03.2024 passed by the learned
Exclusive Judge, SC/ST, Darbhanga in connection with
Hayaghat P.S. Case No. 152/2023 dated 03.10.2023 registered
for the alleged offences punishable under Sections 302 read with
Section 34 of the Indian Penal Code and Sections 3(2)(v) of the



Scheduled Castes and Scheduled Tribes Act.

4. As per the prosecution case, the appellant and the co-accused person started abusing the informant and his father by calling caste name. Thereafter, the appellant and the co-accused started assaulting the informant and his father, in the meantime, the appellant with an intent to kill assaulted with *khanti* on the head of the informant's father, causing injury. Thereafter, the injured was taken to hospital where he died in the course of treatment.

5. Learned counsel for the appellant submits that the appellant is innocent and has falsely been implicated in this case. It is further submitted that no member of public was present at the relevant point of time of the incident and hence, no offence under provisions of SC/ST Act is made out against the appellant. There is no eye witnesses of the alleged occurrence. The appellant has one criminal antecedent as stated in para 3 of the bail petition. The appellant is in custody since 14.10.2023.

6. Learned Special Public Prosecutor for the State has opposed the prayer for bail of the appellant by submitting that the specific allegation of assault on the informant's father is against the appellant. As per the Post Mortem Report, the cause



of death is due to craniocerebral damage and its complication from head injury.

7. Considering the aforesaid facts and circumstances of the case as well as the specific and heinous nature of the allegation against the appellant, I am not inclined to set aside the impugned order dated 16.03.2024 passed by the learned Exclusive Judge, SC/ST, Darbhanga in connection with Hayaghat P.S. Case No. 152/2023 and accordingly, the prayer for bail of the appellant is rejected.

(Chandra Prakash Singh, J)

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