

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.4468 of 2024

Arising Out of PS. Case No.-15 Year-2024 Thana- HALSI District- Lakhisarai

Rajesh Kumar @ Rajesh Yadav S/O Chandrika Yadav R/O Village- Shivsona,
PS- Halsi, District- Lakhisarai

... .. Appellant/s

Versus

- 1. The State of Bihar
- 2. Jawahar Manjhi S/O Late Govind Manjhi R/O Village-Shivsona,PS-
Halsi,Distt-Lakhisarai

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr. Ramakant Sharma, Sr. Adv Mr.Rakesh Kumar Sharma
For the Respondent/s	:	Ms.Usha Kumari 1

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 31-01-2025 1. Heard learned senior counsel for the appellant,

Shri. Ramakant Sharma and learned Spl. P.P. for the State, Ms.

Usha Kumar No. 1.

2. This is an appeal under Section 14-A(2) of the

Scheduled Castes and Scheduled Tribes (Prevention of

Atrocities) Act, 1989 (hereinafter referred to as the “SC/ST

Act”) against the refusal of prayer for bail vide order dated 31-

8-2024 passed by the learned Additional District & Sessions

Judge-I-cum-Special Judge, SC/ST Act, Lakhisarai in

connection with Halsi P.S. Case No. 15 of 2024 registered for

the offences punishable under Sections 341, 323, 504, 506 and

34 of the Indian Penal Code as well as Sections 3(1)(r), 3(1)(s)



of the SC/ST (Prevention of Atrocities) Act.

3. Learned senior counsel for the appellant submits that the appellant is a person with clean antecedent and is in custody since 4-8-2024 and charge-sheet has been submitted.

4. It is next submitted that the informant alleges that this appellant along with other accused persons forcibly captured some purchased and settled land of the informant and uprooted the pillars placed by the *Anchal Amin* and cultivated wheat crop, on objection the informant was abused by taking his caste name.

5. Learned senior counsel for the appellant submits that the appellant has been falsely implicated in the instant case by the informant. It is further submitted that from perusal of allegation as alleged in the FIR, it would manifest that the dispute is with respect to land. It is also submitted that the land in dispute is in the name of the father of the appellant, as would manifest from Annexure-3 to the instant application. It is thus submitted that it was the informant, who was trying to usurp the property of the appellant, on which an altercation took place and thereafter the instant false case came to be instituted. It is also submitted that since charge-sheet has been submitted, no useful purpose would served by keeping the appellant in custody.



6. Learned Spl. P.P. for the State opposes the prayer for bail of the appellant.

7. Considering the aforesaid facts, let the appellant above-named, be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Halsi P.S. Case No. 15 of 2024,

8. Accordingly, the impugned order dated 31-8-2024 is set aside and the appeal stands allowed.

(Satyavrat Verma, J)

SUMIT/-

U		T	
---	--	---	--

