

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL APPEAL (SJ) No.4898 of 2024**

Arising Out of PS. Case No.-511 Year-2024 Thana- HISUWA District- Nawada

PANKAJ KUMAR S/O Late Arjun Singh R/o vill - Nimi, P.s. - Sheikhopur  
Sarai, Distt. - Sheikhpura

... .. Appellant/s

Versus

1. The State of Bihar
2. Rajesh Manjhi S/o Rambhaju Manjhi R/o vill - Jaiprakash Nagar, P.s .-  
Hisua, Distt. - Nawada

... .. Respondent/s

**Appearance :**

For the Appellant/s : Dr. Anjani Pd. Singh  
For the Respondent/s : Mr. Binay Krishna

**CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA**  
**ORAL ORDER**

- 7      28-02-2025      1. Heard learned counsel for the appellants and learned  
Special Public Prosecutor for the State.
2. An order, dated 11.09.2024, passed by learned Exclusive  
Special Judge, Special Court SC/ST Act, Nawada, in BP  
No. 1348 of 2024, in respect of appellant is under  
challenge in the present appeal preferred under Section  
14-A (2) of the Schedule Caste and Schedule Tribes  
(Prevention of Atrocities) Act, 1989, whereby the regular  
bail applications of the appellants in connection with  
Hisua Police Station Case No. 511 of 2024 registered for  
the offence punishable under Sections  
137(2)/140(3)/140(4)/3(5) of the Bharatiya Nyaya Sanhita



and Section 3(1)(r)(s)(w)/3(2)(v) of the Schedule Caste/Schedule Tribe (Prevention of Atrocities) Act, have been rejected.

3. The prosecution case, as per the First Information Report, is that on 25.08.2024, in the morning, while the mother of the informant, namely, Manji Devi was going to attend her work, the appellants, along with other accused persons, kidnapped the informant's mother on a Scorpio vehicle and pressurized her to enter into compromise in a case lodged earlier. In the afternoon, when the informant, along with his wife and sister-in-law, was going towards the police station to lodge First Information Report, the appellants and other accused persons arrived there and started abusing by their caste and and also assaulted them and took away informant's wife and sister-in-law on Scorpio vehicle.
4. Learned counsel for the appellant submits that the appellant is not named in the First Information Report and has not committed any offence in the manner alleged. The name of the appellant has transpired during the course of investigation due to the fact that he happens to be brother-in-law of co-accused Tunni Singh @ Arvind Singh @



Arvind Kumar, who, along with co-accused Gopal Kumar, have been granted regular bail by this Court in Cr. Appeal (SJ) No. 5087 of 2024. He next submits that the present case has been lodged due to dispute regarding payment of daily wages to the informant and his family members inasmuch as the co-accused persons are engaged in providing contract labourers to the brick kiln situated in the locality, for which, they get some commission from the brick kiln owner after payment of wages to the labourers. The appellant is in custody since 31.08.2024, charge-sheet has been submitted by the police and there is no likelihood that the appellant will abscond and/or tamper with the evidence.

5. Despite information having being served, no one appeared on behalf of the respondent no. 2
6. Learned Special Public Prosecutor for the SC/ST Act opposes the prayer for bail.
7. Having regard to the submissions made on behalf of the parties and taking into consideration the nature of allegation and the fact that the appellant is in custody since 31.08.2024, charge-sheet has been submitted by the police, the co-accused persons have been granted regular



bail by this Court and there is no likelihood that the appellant will abscond and/or tamper with the evidence, I am inclined to grant the appellant privilege of regular bail.

8. This appeal is, accordingly, allowed and the order, dated 11.09.2024, passed by learned Special Exclusive Judge, Special Court, SC/ST Act, Nawada, in BP No. 1348 of 2024, is set aside.
9. Let the appellant, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Special Exclusive Judge, Special Court, SC/ST Act, Nawada, in connection with Hisua Police Station Case No. 511 of 2024.

(Anil Kumar Sinha, J)

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