

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.401 of 2026

Arising Out of PS. Case No.-48 Year-2025 Thana- PALIGANJ District- Patna

Manish Kumar S/o Shankar Prasad R/o Village - Purani Bazar, P.S - Paliganj,
District - Patna, At present R/o Village - Kinjar, P.S - Kinjar, District - Arwal

... .. Appellant/s

Versus

1. The State of Bihar
2. Suresh Chaudhary S/o Shaligram Singh Chaudhary @ Shaligram Chaudhary
R/o Village - Purani Bazar Paliganj, P.S - Paliganj, District - Patna,

... .. Respondent/s

Appearance :

For the Appellant	:	Mr. Jay Ram Prasad, Advocate Mr. Niranjan Kumar Singh, Advocate Mr. Randheer Kumar, Advocate
For the State	:	Mr. Sadanand Paswan, Spl.P.P.
For the Resp. No.2	:	Mr. Kunwar Narayan Jamuar, Advocate

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 16-04-2026 Heard learned counsel for the appellant, 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 7.1.2026 passed in A.B.P. no.1738 of 2025 by the
learned Exclusive Special Judge, SC/ST, Civil Court (Sadar),
Patna and for grant of anticipatory bail in connection with
Paliganj P.S. Case no.48 of 2025 registered under sections 316(2)
and 318(4) of the Bharatiya Nyaya Sanhita, 2023.

3. As per the prosecution case, the informant states that
he had given a total sum of Rs.2,91,000/- to Smt. Shakuntala
Devi @ Chinta Devi, however the registry of the land could not



take place as the link failed in the Office of the Registrar. Since then, on one pretext or the other of her son Shankar Prasad, she is not ready to execute the registered sale deed. They reside in the *kirana* shop of Manish Kumar.

4. Learned counsel for the appellant submits that from the allegations in the F.I.R. it would be evident that he dispute, if any, is purely civil in nature and so far as the appellant is concerned, he has been falsely implicated in the case for the reason that he happens to be the grandson of Smt. Shakuntala Devi. No allegation under the SC and ST (PoA) Act is made about against any of the accused including the appellant herein. The appellant has no criminal antecedent and undertakes to cooperate in the investigation/trial.

5. The appeal is opposed by learned Special Public Prosecutor for the State and learned counsel for the respondent no.2. It is submitted by learned counsel for the respondent no.2 that there is direct allegation against the appellant and others in the F.I.R. and substantial material has transpired in course of investigation to substantiate the case under the SC and ST (PoA) Act.

6. Having heard learned counsel for the parties and taking into consideration the allegations against the appellant in the F.I.R., the Court is inclined to allow the instant appeal.



7. The appeal is allowed and the order dated 7.1.2026 passed in A.B.P. no.1738 of 2025 by the learned Exclusive Special Judge, SC/ST, Civil Court (Sadar), Patna rejecting the prayer for anticipatory bail of the appellant is hereby set aside.

8. It is directed that the appellant above named, in the event of his arrest or surrender before the learned Court below within a period of four weeks, be released on anticipatory bail in connection with Paliganj P.S. Case no.48 of 2025 on 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, Civil Court (Sadar), Patna.

(Partha Sarthy, J)

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