

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.637 of 2026

Arising Out of PS. Case No.-56 Year-2025 Thana- SIWAN MUFFASIL District- Siwan

Rakesh Manjhi S/O Kishor Manjhi Resident of Village - Bindusar Buzurg,
P.S.-Mahadeva, District-Siwan

... .. Appellant

Versus

1. The State of Bihar
2. Lakshmina Devi Wife of Baban Manjhi Resident of Village - Akopur Chakra
Pasuram, P.S- Mahadeva, District-Siwan.

... .. Respondents

Appearance :

For the Appellant/s	:	Mr. Priyanshu Kumar Singh, Advocate
For the Respondent/s	:	Mrs. Usha Kumari 1, Special PP
For the Respondent No.2:		Mr. Ravi Nandan, Advocate
		Mr. Ajay Kumar Tiwary, Advocate

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL JUDGMENT

Date : 17-07-2026

Heard learned counsel for the appellant and learned
counsel for the informant/respondent no. 2 as well as learned
Special PP for the State.

2. The present appeal has been preferred by the
appellant under Section 14(A)(2) of the Scheduled Castes and
Scheduled Tribes (Prevention of Atrocities) Act, 1989 against
the refusal of prayer for anticipatory bail by order dated
17.01.2026 passed by learned Exclusive Special Judge, SC/ST
(Prevention of Atrocities) Act, Siwan in connection with Siwan
(Mufassil) P.S. Case No. 56 of 2025 registered for the alleged
offence under Sections 308(2), 308(4), 351(2) and 352 of
Bharatiya Nyaya Sanhita, 2023 and Section 3(1)(r)(s) of the



Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.

3. As per the prosecution case, the appellant and other co-accused persons came to the house of the informant and hurled abuses. When the informant went outside, the co-accused abused her taking caste name and threatened her demanding Rs. 2,00,000/- as extortion money.

4. Learned counsel for the appellant submits that the appellant is innocent and has been falsely implicated in this case. The FIR has been instituted after delay of two days without any satisfactory explanation and it shows deliberation and afterthought. There is no specific allegation against the appellant and the allegations are general and omnibus against all the accused persons. Specific allegation of caste abuse is against co-accused and not against the appellant. Moreover, the appellant and the informant belong to the same caste and hence, no offence under the SC/ST (Prevention of Atrocities) Act could be made out against the appellant. Learned counsel further submits that the witnesses examined during the investigation did not support the prosecution case and denied any such occurrence ever taking place. Learned counsel further submits that the appellant has got four criminal antecedent and



all these antecedent are of the Bihar Prohibition & Excise Act and the appellant is on bail in all such cases. Learned counsel further submits that, in fact, the son of the informant has been involved in supplying of illegal liquor and the appellant had been working as a driver with him but due to his activity, he left the job and for this reason, he has been implicated in this case as well as also made accused in other cases.

5. Learned Special PP for the State as well as learned counsel appearing on behalf of the informant/respondent no. 2 oppose the submission made on behalf of the appellant.

6. Perused the record.

7. Having regard to the aforesaid facts and circumstances and submissions made on behalf of the parties and considering the fact that the appellant and the respondent no. 2 belong to same caste and further considering the non-specific and doubtful nature of allegation against the appellant, let the appellant above named, in the even of his arrest or surrender before the court concerned within a period of eight weeks from today, be released on bail, on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand Only) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Judge, SC/ST (Prevention of Atrocities) Act,



Siwan/court concerned in connection with Siwan (Mufassil)
P.S. Case No. 56 of 2025, subject to the condition laid down
under Section 482(2) of BNSS and other following conditions:

- (i) One of the bailors will be a close relative of
the appellant.
- (ii) The appellant will remain present on each
and every date fixed by the court below.

8. Accordingly, the impugned order dated 17.01.2026
is set aside and the appeal is allowed.

(Arun Kumar Jha, J)

Ashish/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	18.07.2026
Transmission Date	18.07.2026

