

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.4462 of 2025

Arising Out of PS. Case No.-507 Year-2025 Thana- HISUWA District- Nawada

1. Dilwar Kumar Son of Anil Manjhi Resident of village - Panchugarh, Musahari, Police Station - Hisua, District - Nawada.
2. Meena Devi Wife of Manoj Manjhi @ Manoj Manzi Resident of village - Panchugarh, Musahari, Police Station - Hisua, District - Nawada.

... .. Appellant/s

Versus

1. The State of Bihar
2. Samudri Devi Wife of Late Gaya Manjhi Resident of village - Panchugarh, Musahari, Police Station - Hisua, District - Nawada.

... .. Respondent/s

with

CRIMINAL APPEAL (SJ) No. 1038 of 2026

Arising Out of PS. Case No.-507 Year-2025 Thana- HISUWA District- Nawada

Kundla Manjhi @ Kundan Manjhi son of Gangwa Manjhi Resident of village- Panchugarhpar Mushahari, Hisua, P.S - Hisua, Dist - Nawada

... .. Appellant/s

Versus

1. The State of Bihar
2. Samundri Devi Wife of Late Gaya Manjhi Resident of village- Panchugarhpar Mushahari, P.S - Hisua, Dist - Nawada

... .. Respondent/s

Appearance :

(In CRIMINAL APPEAL (SJ) No. 4462 of 2025)

For the Appellant/s : Mr. Deepak Kumar

For the Respondent/s : Mrs. Usha Kumari 1

(In CRIMINAL APPEAL (SJ) No. 1038 of 2026)

For the Appellant/s : Mr. Birendra Kumar

For the Respondent/s : Mr. Usha Kumari 1

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

5 07-05-2026 Heard learned counsel for the appellants and learned
Spl. P.P. for the State.

2. This is an appeal under Scheduled Castes and



Scheduled Tribes (Prevention of Atrocities) Act, (hereinafter referred to as the “SC/ST Act”) against the refusal of prayer for bail vide order dated 23.09.2025 and 11.02.2026 passed by the learned Exclusive Special Judge, Special court, SC/ST Act, Nawada in connection with Hisua P.S. Case No. 507 of 2025 registered for the offences punishable under Sections 191(2), 190, 103(1), 103(2), 115(2) & 109 of the Bharatiya Nyaya Sanhita, 2023, under Sections 3 and 4 of the Bihar Dian Act and under Sections 3(1)(r)(s), 3(2)(v) of the SC/ST Act.

3. The case of the complainant, in short, is that the appellants along with other co-accused persons have murdered the husband of informant and they also decided to burn the informant Samudri Devi with deceased Gaya Manjhi.

4. Learned counsel for the appellants submits that appellants are innocent and have falsely been implicated in the present case due to dirty village politics. Chargesheet has been submitted in this case. No specific allegation is against the appellants. He also submits that the name of appellant no. 2 namely, Kundla Manjhi has surfaced during investigation on the basis of confessional statement of co-accused Mohan Manjhi. Learned counsel for the appellant further submits that the appellants have not taken the caste name of the informant in



public view. Hence, no offence under the provisions of SC/ST Act is made out against them. The appellants have no intention to disgrace the image of the informant in public view. There is no specific allegation of assault against the appellants. He further submits that similarly situated co-accused has been granted bail by this Court vide Cr. Misc. No. 4569 of 2025. The appellant no. 1 is languishing in judicial custody since 28.08.2025 whereas appellant no. 2 is in custody since 26.12.2025 respectively.

5. Learned Spl.P.P. for the State has vehemently opposed the prayer for grant of bail to the appellants and submits that the appellant no. 1 has no criminal antecedent whereas appellant no. 2 has criminal antecedent of one case.

6. In view of the submissions made by the learned counsel for the appellant, the order dated 23.09.2025 and 11.02.2026 passed by the learned Exclusive Special Judge, Special court, SC/ST Act, Nawada in connection with B.P. No. 1411 of 2025 and 149 of 2026 arising out of Hisua P.S. Case No. 507 of 2025 is hereby set aside and the appellants above-named, be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) each of them with two sureties of the like amount each to the satisfaction of the learned court of



Exclusive Special Judge, SC/ST Act, Nawada in connection
with Hisua P.S. Case No. 507 of 2025.

7. Accordingly the appeal stands allowed.

(Ashok Kumar Pandey, J)

Sudhanshu/-

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