

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.2536 of 2025

Arising Out of PS. Case No.-252 Year-2024 Thana- PAKARIBARAW District- Nawada

Manish Singh @ Manish Kumar S/o- Late Ramnandan Sharma Village-
Diaura P.S- Pakaribaraw Dist- Nawada

... .. Appellant/s

Versus

- 1. The State of Bihar
- 2. Kaushaliya Devi W/o- Late Pappu Manjhi Village- Budhauri Ps-
Pakaribaraw Dist- Nawada

... .. Respondent/s

with

CRIMINAL APPEAL (SJ) No. 4536 of 2025

Arising Out of PS. Case No.-252 Year-2024 Thana- PAKARIBARAW District- Nawada

Anuj Pandey @ Chhotu Pandey Son of Gauri Kant Pandey Resident Of
Village- Bhalua, P.s. - Pakribarawan, District-Nawada

... .. Appellant/s

Versus

- 1. The State of Bihar
- 2. Kaushalya Devi wife of Late Pappu Manjhi Resident Of Village- Budhauri,
P.s. - Pakribarawan, District-Nawada

... .. Respondent/s

Appearance :
(In CRIMINAL APPEAL (SJ) No. 2536 of 2025)
For the Appellant/s : Mr. Anuj Kumar, Advocate
For the Respondent/s : Mr. Sadanand Paswan, Spl.P.P.
(In CRIMINAL APPEAL (SJ) No. 4536 of 2025)
For the Appellant/s : Mr. Deepak Kumar, Advocate
For the Respondent/s : Mr. Sadanand Paswan, Spl.P.P.

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

8 02-04-2026 Heard learned counsel for the appellants, learned

Special Public Prosecutor for the State and learned counsel for

the respondent.



2. The instant appeals have been filed by the appellants against the order dated 23.08.2024 & 15.10.2025 passed by the learned Exclusive Special Judge, Special Court SC/ST (POA) Act, Nawada whereby the prayer for bail of the appellants in connection with B.P. No. 1212 of 2024 arising out of Pakaribaraw P.S. Case No. 252 of 2024 and B.P. No. 1516 of 2025 under Sections 302, 120B/34 of the Indian Penal Code, Section 27 of the Arms Act and Sections 3(2)(v), 3(1)(r) of SC/ST Act were rejected.

3. Learned counsel for the appellants has submitted that earlier the criminal appeal of these appellants was rejected by the learned coordinate bench of this court vide order dated 17.01.2025 & 21.02.2025 and the learned trial court was directed to conclude the trial of the appellants at the earliest. It has further been submitted that the appellant no. 1 namely, Manish Singh and appellant no. 2 namely, Anuj Pandey are languishing in judicial custody since 16.06.2024 and 15.06.2024 respectively.

4. The case of the respondent, in short, is that on 13.06.2024, at about 09:00 PM, the appellant, namely, Manish Singh, called the husband of the respondent on mobile and called him out of the house and on his call, the husband of the respondent went and did not return till night. On the same day at



12:00 noon, appellant no. 2, namely, Anuj Pandey, was threatening the husband of the respondent. On 14.06.2024 at 06:00 AM, Vinod Manjhi told the respondent that the dead body of the deceased is lying near Inter College, Budhauri. The respondent claims that her husband has been killed by the appellants.

5. It is submitted by learned counsel for the appellants that appellants have been falsely implicated in this case due to village politics. He also submits that there is no eyewitness to the case. This case is based merely on the basis of suspicion. He further submits that no member of the public was present at the relevant point of time to the incident and there is also no allegation of abusing the respondent or her husband with a caste name. As such, the allegation under the provisions of the SC/ST Act is not attracted against the appellants. Moreover, appellant no. 1, Manish Singh, and appellant no. 2, Anuj Pandey are languishing in judicial custody since 16.06.2024 and 15.06.2024, respectively.

6. The appeals for bail are opposed by learned Spl. P.P. for the State and he has stated that appellant no. 1, namely, Manish Singh, has got no criminal antecedent, whereas appellant no. 2, namely, Anuj Pandey, has a criminal antecedent of two



cases. He also submits that as per the confessional statement of one Nikhil Kumar, both the appellants had given a contract to kill the respondent's husband with intent to become Mukhiya after the death of the respondent's husband and it is further confessed that he had killed the deceased, which is also evident from para-54 of the case diary.

7. Countering this, the learned counsel for the appellants has submitted that save and except the confessional statement, there is nothing against the appellants. There was no enmity between the appellants and the deceased. The only material available in this case is the confessional statement, which is not legal material and the same cannot be proved in trial.

8. Having heard learned counsel for the parties and taking into consideration that there is general and omnibus allegation against the appellants, the Court is inclined to allow this appeals. Accordingly, the appeals are allowed and the impugned order dated 23.08.2024 & 15.10.2025 are hereby set aside.

9. The appellants are directed to be enlarged on bail in connection with Pakaribaraw P.S. Case No. 252 of 2024 on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) each



with two sureties of the like amount each to the satisfaction of
the learned Exclusive Special Judge, Special Court, SC/ST
(PoA) Act, Nawada.

(Ashok Kumar Pandey, J)

Sudhanshu/-

AFR/NAFR	NAFR
CAV Date	19.03.2026
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