

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.3390 of 2024

Arising Out of PS. Case No.-33 Year-2024 Thana- SC/ST District- Nawada

RAJMANGAL S/O MUNNI LAL R/O VILLAGE- DUDHAILI, P.S-
NAMEDAARGANJ, DISTT.- NAWADA.

... .. Appellant/s

Versus

1. THE STATE OF BIHAR
2. MANOJ PASWAN S/O RATAN PASWAN R/O VILLAGE- MAJHIYAMA,
P.S- FATHEHPUR, DISTT.- GAYA.

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr. Girish Chandra Jha, Advocate
For the Respondent/s	:	Mr. Usha Kumari 1, Spl.P.P.
For the Informant	:	Mr. Narendra Kumar Chaubey, Advocate

CORAM: HONOURABLE MR. JUSTICE PRAVEEN KUMAR
ORAL ORDER

6 12-02-2026 Heard learned counsel for the appellant, learned
counsel for the informant and learned Special Public Prosecutor
appearing for the State.

2. This appeal under Section 14A(2) of the
Scheduled Castes and Scheduled Tribes (Prevention of
Atrocities) Act, 1989 has been directed against the order dated
22.06.2024 passed by learned Exclusive Special Court, SC/ST
(PoA) Act, Nawada, in A.B.P. No. 1574 of 2024, in connection
with SC/ST P.S. Case No. 33 of 2024 registered under Sections
341, 323, 324, 504 and 506 of the Indian Penal Code read with
Sections 3(1)(r)(s) and 3(2)(va) of Scheduled Castes and
Scheduled Tribes (Prevention of Atrocities) Act, 1989, whereby



the prayer for grant of anticipatory bail of the appellant has been rejected.

3. As per the prosecution case, the informant, namely, Manoj Paswan alleged that on 03.05.2024 at about 06:00 PM, while he was talking to his customers, the appellant and the co-accused person came and abused by taking his caste name. On being opposed by the informant, the appellant and his son, namely Rajeev Kumar, assaulted him by means of rod due to which he sustained injury on his head and fell unconscious on the ground. On hulla, the villagers gathered, then they fled away from there threatening him. Thereafter, he was taken to hospital for treatment.

4. Learned counsel appearing for the appellant submits that the appellant, who bears clean antecedent, is innocent and has not committed the offence alleged. He further submits that the offences of Indian Penal Code are bailable and with regard to offences under the SC/ST Act, the same is not made out as the same was not made in a public place within a public view. As per the injury report, the injury sustained by the injured is simple in nature caused by hard and blunt substance. Hence, the impugned order may be set aside and the appellant may be granted the privilege of anticipatory bail.



5. Learned Special Public Prosecutor for the State as well as learned counsel for the informant have vehemently opposed the prayer for grant of anticipatory bail to the appellant.

6. Considering the entire facts and circumstances of the case and also the fact that the appellant bears clean antecedent, let the above named appellants let the above named appellant, in the event of his arrest/surrender within a period of six weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Court, SC/ST (PoA) Act, Nawada, in connection with SC/ST P.S. Case No. 33 of 2024 subject to the conditions laid down under Section 438(2) of the Cr.P.C.

7. Accordingly, the impugned order dated 22.06.2024 rejecting the prayer for grant of anticipatory bail to the appellant is set aside.

8. This appeal is allowed.

(Praveen Kumar, J)

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