

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.2940 of 2025

Arising Out of PS. Case No.-320 Year-2018 Thana- BAHADURPUR District- Patna

Raushan Kumar @ Raushan Sharma S/o Mukesh Singh R/o Village -
Pandarak, P.S.- Pandarak, Dist. - Patna

... .. Appellant/s

Versus

1. The State of Bihar
2. Amarjeet Manjhi S/o Late Shankar Manjhi R/o Vill.- Darsa Chapra, P.S. -
Udwantnagar, Dist.- Bhojpur

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr. Ramji Kumar, Advocate Mr. Pratik Kumar, Advocate
For the Respondent/s	:	Mrs. Usha Kumari I, Spl.P.P.

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

4 21-01-2026 Heard learned counsel for the appellant and learned
Special Public Prosecutor for the State.

2. The instant appeal has been filed by the appellant against the order dated 20.06.2025 passed by learned Exclusive Special Judge, SC/ST Act, Civil Court (Sadar), Patna whereby the prayer for bail of the appellant in connection with Bahadurpur P.S. Case no. 320 of 2018 under Sections 307, 302 and 34 of the Indian Penal Code and Section 27 of the Arms Act and Sections 3(2) (v) of SC/ST Act was rejected.

3. The case of the prosecution is that the complainant and his friends have gone to have tea. The appellant along with others was already present there. It is stated that Pandit Manjhi



was having *lathi*. On seeing him with lathi, Shivam fired at him. It is further alleged that Raushan, Balbant and Avinash Caught Balma Manjhi and Shivam again fired at him. Both the injured were brought to the hospital where Balma Manjhi died during treatment.

4. It is submitted by learned counsel for the appellant that appellant has been falsely implicated in this case. From perusal of the FIR, it is clear that the allegation of firing is on Shivam. As far as this appellant is concerned, only allegation against him is that he along with Balwant and Avinash had caught the deceased. Learned counsel for the appellant has submitted that Shivam and Avinash have already been granted bail by learned co-ordinate Bench of this Court vide Cr. App(SJ) Nos. 240 of 2025 and 624 of 2025 respectively. The case of this appellant stands on similar to that Avinash and better than Shiva @ Shivam. It has also been submitted that there is no allegation of abusing the complainant with caste name, as such, the allegation under SC/ST has not attracted. Moreover, the appellant is languishing in judicial custody since 09.05.2025.

5. The appeal for bail is opposed by learned Spl. P.P. for the State.

6. Having heard learned counsel for the parties and



taking into consideration that there is no any specific overt act against the appellant, the Court is inclined to allow this appeal. Accordingly, the appeal is allowed and the impugned order dated 20.06.2025 is hereby set aside.

7. The appellant is directed to be enlarged on bail in connection with Bahadurpur P.S. Case No. 320 of 2018 on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Judge, SC/ST Act, Civil Court (Sadar), Patna.

(Ashok Kumar Pandey, J)

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