

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.3088 of 2025

Arising Out of PS. Case No.-57 Year-2025 Thana- KATRA District- Muzaffarpur

Sandeep Tiwari @ Sanju Tiwari @ Sandeep Kumar Tiwari S/o Chunnu Tiwari
@ Manoj Tiwari R/o vill - Sonpur Gatoli, P.S.- Katra, Distt.- Muzaffarpur

... .. Appellant/s

Versus

1. The State of Bihar
2. Vishwanath Manjhi S/o Bhola Manjhi R/o vill - Dargah, P.S. - Katra, Distt.- Muzaffarpur

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr. Ajay Kumar Thakur, Advocate Mr. Purushottam Kumar, Advocate Mr. Shivam, Advocate Mr. Mudit Meet, Advocate
For the Respondent/s	:	Mr. Sadanand Paswan, Spl.P.P.

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

3 08-05-2026 Heard learned counsel for the appellant and learned
Spl. P.P. for the State.

2. This is an appeal filed under the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 (hereinafter referred to as the “SC/ST Act”) against the refusal of prayer for anticipatory bail vide order dated 02.07.2025 passed by the learned Special Judge, SC/ST (POA) Act, Muzaffarpur in connection with Katra P.S. Case No. 57 of 2025 registered for the offences punishable under Sections 191(2), 191(3), 109, 303(1), 324(4), 126(2), 115(2), 351(2), 351(4) of BNS and Sections 3(1) (r), 3(1) (s) of SC/ST Act.



3. The case of the respondent, in short, is that the appellant along with others six named and 25-30 unknown persons apprehended the respondent and took the key of his bike and started assaulting him considering him to be a thief. On this, the respondent disclosed that he is not a thief rather he is Vishwanath Manjhi. After this, one Vijay Sah abused him with caste name and started assaulting and Rs. 10,000/- was taken by the mob. He was tied with a pole. After that, police arrived and his life was saved.

4. Learned counsel for the appellant submits that the appellant has been falsely implicated in the instant case. He is having no criminal antecedent. Learned counsel has submitted that from perusal of the FIR, it is clear that the nature of allegation is general and omnibus and allegation of abusing with caste name is against Vijay Sah not against this appellant. It has further been submitted that due to intervention of well-wishers, the parties have compromised their case. He has further submitted that similarly situated co-appellants have been granted bail by learned co-ordinate Bench of this court and by this Court vide Cr. App(SJ) No. 4413 of 2025 and Cr. APP(SJ) No. 3023 of 2025 respectively. The case of this appellant stands on similar footing.

5. Learned Spl. P.P. for the State has vehemently



opposed the appeal.

6. In view of the submissions made by the learned counsel for the appellant, the order dated 02.07.2025 passed by the learned Special Judge, SC/ST Muzaffarpur in connection with Katra P.S. Case No. 57 of 2025 is hereby set aside and the appellant above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Katra P.S. Case No. 57 of 2025 ,subject to the conditions as laid down under Section 482 (2) of the BNSS.

7. Accordingly the appeal stands allowed.

(Ashok Kumar Pandey, J)

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