

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.3368 of 2022

Arising Out of PS. Case No.-124 Year-2022 Thana- JANKINAGAR District- Purnia

MANISH KUMAR YADAV @ MANISH KUMAR Son of Manoj Yadav Resident of
Village- Khunt, Ward No.-10, P.S.- Jankinagar, District- Purnia

... .. Appellant/s

Versus

1. The State of Bihar
2. SANJAY KUMAR RAM @ SANJAY RAM Son of Late Baleshwar Ram Resident
of Village- Kunut Hatiya Tola, P.S.- Jankinagar, District- Purnia

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr. Shambhu Sharan Singh, Advocate
For the Respondent No. 2	:	Mr. Kamlesh Kumar Pathak, Advocate
		Ms. Suman Kumari, Advocate
For the Respondent/s	:	Mr. Binay Krishna, SPP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

6 29-01-2026 Heard learned counsel for the appellant and learned
counsel for the respondent no. 2 as well as learned Special P.P. for
of the State.

2. This appeal has been filed against the order dated
06.09.2022 passed by learned Special Judge, SC/ST Act, Purnia
in connection with Jankinagar P.S. Case No. 124 of 2022,
registered under Sections 341, 323, 504, 354 and 34 of the IPC
and Sections 3(i)(r)(w)(s), 3(2)(va) of Scheduled Castes and
Scheduled Tribes (Prevention of Atrocities) Act (for short “SC/ST
Act”), whereby the prayer for anticipatory bail of appellant has
been rejected.

3. As per prosecution case, it is alleged that all the
accused persons including this appellant forcibly cut 50 bamboos



and committed mar-pit with the informant and issued death threat. It is further alleged that informant was also abused by caste name.

4. Learned counsel for the appellant submits that there is general and omnibus allegation levelled against the appellant. No specific allegation of overt act has been attributed to the appellant. Injuries are simple. As per FIR the alleged incidence did not take place within the public view as such, no offence under Section SC/ST Act is made out against this appellant.

5. Learned Spl. Public Prosecutor for the State opposed the appeal of the appellant.

6. However, considering the aforesaid facts and circumstances and clean antecedent, the impugned order dated 06.09.2022 is, hereby, set aside and this criminal appeal is allowed.

7. Let the appellant, as named above, 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 learned Special Judge, SC/ST Act, Purnia, in connection with Jankinagar P.S. Case No. 124 of 2022.

(Prabhat Kumar Singh, J)

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