

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.4465 of 2025

Arising Out of PS. Case No.-507 Year-2025 Thana- HISUWA District- Nawada

1. Somali Manjhi S/O Vijay Manjhi Resident of village- Panchupar, Mushari, P.S.- Hisua, District- Nawada.
2. Anil Manjhi @ Anil Rajvanshi S/O Ramdeo Manjhi Resident of village- Panchupar, Mushari, P.S.- Hisua, District- Nawada.
3. Gauri Devi W/O Rambali Manjhi Resident of village- Panchupar, Mushari, P.S.- Hisua, District- Nawada.

... .. Appellant/s

Versus

1. The State of Bihar
2. Samudri Devi W/O Late Gaya Manjhi Resident of village- Panchupar, Mushari, P.S.- Hisua, District- Nawada.

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Krishna Deo Raj, Advocate
For the Respondent/s : Mr. Sadanand Paswan, Spl.P.P.

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

5 08-05-2026 Heard learned counsel for the appellants and learned
Spl. P.P. for the State.

2. This is an appeal under Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 (hereinafter referred to as the “SC/ST Act”) against the refusal of prayer for bail vide order dated 09.10.2025 passed by the learned Exclusive Special Judge, SC/ST (POA) Act, Nawada in connection with Hisua P.S. Case No. 507 of 2025 registered for the offences punishable under Sections 191(2), 190, 103(1), 103(2), 115(2) & 109 of the Bharatiya Nyaya Sanhita, 2023,



under Sections 3 and 4 of the Bihar Witch Crafts Practice Act and under Sections 3(1)(r)(s), 3(2)(v) of the SC/ST Act.

3. The case of the respondent, in short, is that the appellants along with other co-accused persons have murdered the husband of informant and they also decided to burn the informant Samudri Devi with deceased Gaya Manjhi.

4. Learned counsel for the appellant submits that appellants are innocent and have falsely been implicated in the present case due to dirty village politics. Charge-sheet has been submitted in this case. No specific allegation is against the appellants. Main thrust of allegation is against one co-accused Mohan Manjhi. Learned counsel for the appellants further submits that the appellants have not taken the caste name of the respondent in public view. Hence, no offence under the provisions of SC/ST Act is made out against her. The appellants have no intention to disgrace the image of the respondent in public view. There is no specific allegation of assault against the appellants. Moreover, they are languishing in judicial custody since 28.08.2025 and they are having no criminal antecedent. Learned counsel for the appellants has further submitted that similarly situated co-accused person has already been granted bail by this court vide Cr. APP(SJ) No. 4773 of 2025.



5. Learned Spl.P.P. for the State has vehemently opposed the prayer for grant of bail to the appellants.

6. In view of the submissions made by the learned counsel for the appellants, the order dated 09.10.2025 passed by the learned Exclusive Special Judge, SC/ST Act, Nawada in connection with Hisua P.S. Case No. 507 of 2025 is hereby set aside and the appellants above-named, be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned court of Exclusive Special Judge, SC/ST Act, Nawada in connection with Hisua P.S. Case No. 507 of 2025.

7. Accordingly the appeal stands allowed.

(Ashok Kumar Pandey, J)

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