

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.204 of 2025**

Arising Out of PS. Case No.-162 Year-2024 Thana- JALE District- Darbhanga

Md. Shahnewaj @ Mohammad Shahnewaz @ Md. Sahnawaz Son of Md. Shahidul Haque @ Mohammad Shahidul Resident of Mohalla / Village - Kaji Bahera, P.S. - Jale, District - Darbhanga

... .. Appellant/s

Versus

1. The State of Bihar Bihar
2. Ahileya Devi Wife of Ganit Chaupal Resident of Village - Kaji Bahera, P.S. - Jale, District - Darbhanga

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr. Kedar Jha
For the Respondent/s	:	Mr. Sadanand Paswan

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

5 07-08-2025 Heard learned counsel for the appellant and learned Special Public Prosecutor for the State.

2. This is an appeal under Section 14(A)(2) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 against the rejection of prayer for bail vide order dated 19.10.2024 passed by the learned Exclusive Judge, SC/ST (POA) Act, Darbhanga in connection with SC/ST B.P. No. 45 of 2024 arising out of Jale P.S. Case No. 162 of 2024 dated 26.08.2024 registered for the offence/s punishable u/ss 103(1), 238 read with section 3(5) of the BNS and section 3(2) (v) of the SC/ST (POA) Act and section 27 of the Arms Act.

3. As per the prosecution case, unknown miscreants



are alleged to have killed the mother-in-law of the informant and threw her dead body in the garden.

4. Learned counsel for the appellant has submitted that the appellant has falsely been implicated in this case due to ulterior motive. Learned counsel has further submitted that the caste name was not disclosed by anyone at the time of the alleged occurrence. As per FIR, no member of public was present at the relevant point of time of the alleged incident hence no case is made out under the SC/ST Act. The appellant is not named in the FIR. The name of the appellant has sprung up during the course of the investigation. There is nothing against the appellant except suspicion. The appellant has one criminal antecedent as stated in para 3 of the bail petition. The appellant is in custody since 30.08.2024.

5. Learned Spl. P.P. for the State has vehemently opposed the bail petition of the appellant. It is further stated that as per para 28 of the case diary, the CDR suggests the involvement of the appellant in the alleged crime and the tower location of the appellant was found near the place of occurrence.

6. Considering the aforesaid facts and circumstances of the case as well as the specific and heinous nature of the allegation against the appellant, I am not inclined to set aside the



impugned order dated 19.10.2024 passed by the learned Exclusive Judge, SC/ST (POA) Act, Darbhanga in connection with SC/ST B.P. No. 45 of 2024 arising out of Jale P.S. Case No. 162 of 2024 and accordingly, the prayer for bail of the appellant is rejected.

(Chandra Prakash Singh, J)

guddukr/-

U		T	
---	--	---	--

