

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1742 of 2025

Arising Out of PS. Case No.-4 Year-2024 Thana- HASAN BAZAR District- Bhojpur

Shahjad Alam @ Shahjad Mansuri, (Male), aged about 24 years, Son of Safik Mansuri @ Kota, Resident of Village - Bachri, P.S.- Piro, District - Bhojpur.

... .. Appellant

Versus

1. The State of Bihar
2. Anita Devi, Wife of Ramendra Ram, Resident of Village - Bachri, P.S.- Piro, District - Bhojpur.

... .. Respondents

Appearance :

For the Appellant	:	Mr. Shashi Kant, Advocate
For the Respondent No. 2:	:	None
For the State	:	Mrs. Usha Kumari 1, Spl. P.P.

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

4 14-11-2025 Heard learned counsel for the appellant and learned Spl. P.P. for the State. None appears on behalf of the respondent no. 2 despite information was given to her through the learned Spl. P.P. for the State through the mobile phone.

2. This is an appeal under Section 14(A)(2) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 (hereinafter in short referred to as the 'SC/ST Act') against the refusal of prayer of bail of the appellant vide order dated 05.02.2025/10.03.2025, passed by the learned District and Additional Sessions Judge-I, Bhojpur, Ara in connection with Hasan Bazar P.S. Case No. 4 of 2024 registered for the offences punishable under Sections 103(1) of



the B.N.S., 2023, Section 3(2)(v) of the SC/ST Act and Section 27 of the Arms Act.

3. As per prosecution case, on 01.10.2024, the appellant took the husband of the informant but he did not return. It is further alleged that on the next day, his dead body was found on the 'Nonar Railway Station'.

4. It is submitted by learned counsel for the appellant that the appellant is quite innocent and has falsely been implicated in the present case due to ulterior motive. It is further submitted that there is no eye witness to the alleged offence. It is further submitted that only material against the appellant is the confessional statement made before the police which has been recorded under coercion and creating terror in the mind of the appellant which is inadmissible in the eyes of law. It has wrongly been stated that the arms was recovered on the basis of the confessional statement of the appellant but it is humbly submitted that the appellant has only stated in his confessional statement that he threw the arms in bush but there is nothing to show that the alleged recovery was made on his indication and his confessional statement does not come under the confession leading to recovery. There is no castiest remark alleged against the appellant. It is further submitted that no member of public



was present at the relevant point of time of the alleged incident. Hence, no offence under the SC/ST Act is made out against the appellant. The appellant has clean antecedent as stated in paragraph no. 3 of the Memo of Appeal. The appellant is in custody in this case since 05.10.2024.

5. Learned Spl. P.P. for the State has vehemently opposed the prayer for bail of the appellant. Learned Spl. P.P. for the State has further submitted that the confessional statement of the appellant was recorded before the police which is available in paragraph no. 30 of the case diary in which he has stated that he shot dead the deceased and slept his dead body on the railway track and threw the *Katta* in the bush near 'Kachnath More' and on his confession, arms was recovered.

6. In view of the aforesaid facts and circumstances of the case, this Court is not inclined to grant bail to the appellant and the same is rejected, in connection with Hasan Bzar P.S. Case No. 4 of 2024 pending in the court of learned District and Additional Sessions Judge-Ist, Bhojpur, Ara.

7. Accordingly, the present criminal appeal is rejected.

(Chandra Prakash Singh, J)

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