

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.87 of 2026

Arising Out of PS. Case No.-132 Year-2025 Thana- TILAUTHU District- Rohtas

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Ankit Kumar Sharma Son of Anand Sharma R/o Village - Itawa, P.S. -
Karakat, Dist. - Rohtas.

... .. Appellant/s

Versus

1. The State of Bihar
2. Awadhesh Ram Son of Late Jaikaram Ram R/o Village - Chorkap, P.S. -
Tilauthu, Dist. - Rohtas.

... .. Respondent/s

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Appearance :

For the Appellant/s : Mr. Varun Kumar, Advocate
For the State : Mrs. Usha Kumari 1, Spl.P.P.

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CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

3 15-04-2026 Heard learned counsel for the appellant 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 23.08.2025 passed by the
learned Special Judge S.C./S.T. (POA) Act, Sasaram in
connection with Tilauthu P.S. Case No. 132 of 2025 registered
for the offences punishable under Sections 103 and 3(5) of the
Bharatiya Nyaya Sanhita and under Section 3(2)(v) of the
SC/ST Act.

3. The case of the respondent, in short, is that two



unknown persons on a bike have killed the son of the respondent.

4. Learned counsel for the appellant submits that during course of investigation it has come that one Abhimanyu, the younger brother of the deceased was having illicit relationship with the wife of the deceased and he has hatched the plan to remove the deceased. Learned counsel for the appellant has further submitted that Abhimanyu has taken help of the shooters to kill the deceased. From perusal of the confessional statement of Abhimanyu Paswan it is clear that he has handed over Rs.20,000/- in cash and on the date of occurrence, the appellant and one Vikash went on a bike; Abhimanyu identified the deceased and on his identification Vikash fired on the head of the deceased. Learned counsel for the appellant has further submitted that Vikash has also given his confessional statement and has stated that he has fired at the deceased in continuance with the plan and has further stated that he has given the weapon of assault to the appellant who has concealed the same. It is stated that the appellant has also given his statement and has stated that he has concealed the weapon in the bushes and the weapon was recovered from there. Learned counsel for the appellant has submitted that save and except



confessional statement, there is nothing against the appellant.

5. Countering this, learned Special Public Prosecutor for the State has vehemently opposed the bail and has stated that from the statement of Vikash Kumar and the appellant, this much is clear that both were riding on a bike which was being driven by the appellant and Vikash has fired at the deceased due to which he died. It has further been submitted that the weapon of assault was being concealed by the appellant in the bushes and this statement of the appellant is relevant and admissible. It has further been submitted that in the FIR it is clear that two persons on a bike have come and assaulted the deceased which is supported by the statement of Vikash and this appellant.

6. Considering the above facts and circumstances of the case, I am not inclined to grant bail to the appellant at this stage, however, he may renew his prayer for bail after six months, if the trial is not concluded. Learned trial court is directed to expedite the trial.

(Ashok Kumar Pandey, J)

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