

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.898 of 2026

Arising Out of PS. Case No.-343 Year-2025 Thana- NAWADA MUFFASIL District- Nawada

Shailendra Mahto @ Shailendra Prasad Mahto @ Shailendra Prasad Son of
Bisheshwar Mahto R/o Village - Guramha, P.S. - Muffasil, Dist. - Nawada.

... .. Appellant/s

Versus

1. The State of Bihar
2. Shailesh Manjhi Son of Late Mairy Manjhi R/o Village - Guramha, P.S. - Muffasil, Dist. - Nawada.

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr. Deepak Kumar, Advocate
For the Respondent/s	:	Mr. Binay Krishna, SPP
For the Informant	:	None

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

3 16-07-2026 Heard learned counsel for the appellant, learned Special Public Prosecutor for the State. None appears on behalf of the informant despite notice being validly served.

2. The instant appeal has been filed by the appellant against the order dated 28.11.2025 passed by learned Exclusive Special Judge, SC/ST Act, Nawada whereby the prayer for bail of the appellant in connection with Mufassil P.S. Case No. 343 of 2025 under Sections 115(2), 126(2), 109, 351(2), 351(3), 352 of the Bharatiya Nyaya Sanhita, 2023 and Section 3(1(r)(s) of SC/ST Act was rejected.

3. The prosecution case, in short, is that on 03.08.2025



at about 4:00 A.M., the appellant allegedly abused the informant's son and, upon being opposed, assaulted him with a knife on his stomach, causing injuries and rendering him unconscious.

4. Learned counsel for the appellant submits that the appellant has falsely been implicated in the present case. Learned counsel further submitted that the only allegation against the appellant is of assaulting the informant's son by knife. Learned counsel further submitted that there is no repeated blow of knife by the appellant which shows that the appellant had no intention to commit the murder of the injured. Learned counsel for the appellant further submits that the appellant has not taken the caste name of the informant in public view, hence, no offence under the provisions of SC/ST Act is made out against him. He further submits that till date only charge-sheet has been submitted and there is no significant progress in the trial. The appellant has no intention to disgrace the image of the informant in public view. The appellant is in custody since 08.08.2025 and has no criminal antecedent.

5. Learned Special P.P. for the State vehemently opposed the prayer for grant of bail to the appellant.

6. Considering the aforesaid facts and circumstances



of the case and the period of custody undergone by the appellant, this Court is inclined to allow this appeal. Accordingly, the appeal is allowed and order dated 28.11.2025 passed by learned Exclusive Special Judge, SC/ST Act, Nawada in connection with Mufassil P.S. Case No. 343 of 2025 is hereby set aside.

7. Let the appellant, abovenamed, be released on bail on furnishing bail bonds of Rs. 15,000/- (Rupees Fifteen Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Mufassil P.S. Case No. 343 of 2025.

(Rudra Prakash Mishra, J)

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