

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1577 of 2026**

Arising Out of PS. Case No.-8 Year-2026 Thana- BARH District- Patna

Shrawan Mahto @ Shrawan Kumar S/o- Rajo Mahto @ Rajeshwar Mahto
R/v- Jalgovind PS- Barh Dist- Patna

... .. Appellant/s

Versus

1. The State of Bihar
2. Raghuvir Paswan S/o- Genauri Paswan R/v- Jalgovind Ps- Barh Dist- Patna
... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Ashok Kumar Kashyap, Advocate

For the Respondent/s : Mr. Binay Krishna, Special P.P.

Ms. Kahkashan Alam, Advocate

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA

ORAL ORDER

3 01-07-2026

1. Heard learned counsel for the appellant, Mr. Binay Krishna, learned Special Public Prosecutor for the State and learned counsel appearing on behalf of the informant.

2. This is an appeal under Section 14-A(2) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 (hereinafter referred to as the “SC/ST Act”) against the refusal of prayer for anticipatory bail vide order dated 17.03.2026 in A.B.P. No. 929 of 2026 passed by the learned Exclusive Special Judge, SC/ST Act, Civil Court (Sadar) Patna in connection with Barh P.S. Case No. 08 of 2026 registered under Sections 103(1) and 3(5) of the BNS, Section 27 of the Arms Act as well as Sections 3(1)(r)(s) and 3(2)(v) of the SC/ST Act.



3. Learned counsel appearing on behalf of the appellant submits that appellant has antecedent of one case but then was acquitted and wrongly in the order impugned it has been recorded that appellant has antecedent of three cases. It is further submitted that informant alleges that on 03.01.2026, accused persons including the appellant came to his house and pressurized his cousin, namely, Sidheshwar to compromise Barh P.S. Case No. 720 of 2025 and on objection, it is alleged that Arvind shot the cousin of the informant thrice causing his death and the accused fled away.

4. Learned counsel for the appellant submits that appellant has been falsely implicated in the instant case by the informant. It is further alleged that from perusal of the allegation as alleged in the FIR, it would manifest that specific allegation of firing is against Arvind.

5. Learned Special Public Prosecutor for the State and learned counsel appearing on behalf of the informant opposed the prayer for anticipatory bail of the appellant and submit that appellant may not be the assailant of the deceased but then his presence at the place of occurrence emboldened Arvind to commit the occurrence of firing causing death of Sidheshwar.

6. Considering the submissions made by the learned



Special Public Prosecutor for the State and learned counsel appearing on behalf of the informant, the Court is not inclined to extend the privilege of anticipatory bail to the appellant in connection with the aforesaid case.

7. Hence, the prayer for anticipatory bail is rejected.

(Satyavrat Verma, J)

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