

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.4873 of 2024

Arising Out of PS. Case No.-206 Year-2024 Thana- SAMASTIPUR MUFFASIL District-
Samastipur

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Balram Mahto S/o Sant Kumar Mahto @ Satlal Mahto @ Satlal Mahto R/o
Vill - Jiwariya Nazamat, ward No.16, Police station- Samastipur (Mufassil),
District- Samastipur

... .. Appellant/s

Versus

1. The State of Bihar
2. Ranju Devi W/o Sudheer Mahto R/o vill - Jitwarpur Nizamat ward no. 16,
P.S. - Samastipur (Mufassil), Distt. - Samastipur

... .. Respondent/s

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Appearance :

For the Appellant/s : Mr. Anant Kumar Mishra
For the Respondent/s : Mr. Sadanand Paswan

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

5 21-04-2026 1. Heard learned counsel for the appellant and learned
Special P.P. 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 (hereinafter referred to as the “SC/ST
Act”) against the refusal of prayer for anticipatory bail vide
order dated 11.09.2024 in A.B.P. No. 2268/2024, passed by the
learned Special Judge SC/ST Act, Samastipur in connection
with Samastipur (Muffasil) P.S. Case No. 206/2024, registered
under Sections 341, 323, 379, 504 and 506/34 of the Indian
Penal Code as well as Sections 3(1)(r)(s) and 3(2)(va) of the



SC/ST Act.

3. Learned counsel for the appellant submits that appellant has antecedent of six cases and the informant alleges that appellant on 04.06.2024 in between 11.15 P.M.-11.45 P.M. entered the shop of the informant and committed theft of Rs.30,000/- along with other articles, further on 05.06.2024, while the son of the informant was sitting in the shop, when appellant came and abused her son by taking caste name and threatened and further threw the articles on the road, next alleges that appellant was seen in CCTV footage committing theft in the shop.

4. Learned counsel for the appellant submits that appellant has been falsely implicated in the instant case by the informant. It is next submitted that from bare perusal of the allegation as alleged in the FIR, it would manifest that the informant alleges that on 04.06.2024 the appellant committed theft in her shop but then she also alleges that on 05.06.2024 the appellant again came and abused her son by taking caste name and threw all the articles on the road. It is thus submitted that had the appellant committed theft in the shop of the informant, then why on 05.06.2024 again the appellant would have come to the shop of the informant.



5. Learned Special Public Prosecutor opposes the appeal and submits that specific allegation is alleged in the FIR that appellant was seen committing theft in the shop of the informant which got captured in the CCTV footage and from pleadings made in appeal, it would manifest that said allegation is not denied and appellant has antecedent of six cases. It is further submitted that if privilege of anticipatory bail is granted, the appellant may abscond.

6. Considering the submissions made by the learned Special P.P., the Court is not inclined to extend the privilege of anticipatory bail to the appellant.

7. Accordingly, the appeal of the appellant is rejected.

(Satyavrat Verma, J)

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