

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.5536 of 2024

Arising Out of PS. Case No.-350 Year-2024 Thana- MAHUA District- Vaishali

Raushan Kumar S/o Tarkeshwar Ray R/o vill - Supaul Tariya, P.S. - Mahua,
Distt.- Vaishali

... .. Appellant/s

Versus

1. The State of Bihar
2. Indrajit Manjhi S/o Siyaram Manjhi R/o vill - Supaul Tariya, P.O. - Rusulpur
Fatha, P.S. - Mahua, Distt.- Vaishali

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Rajeev Ranjan Sinha
For the Respondent/s : Mr. Sadanand Paswan

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 6 28-04-2026 1. Heard learned counsel for the appellant and
learned Spl. P.P. for the State, Mr. Sadanand Paswan.
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 24.09.2024 in A.B.P. No. 1924 of 2024 passed by
the learned Exclusive Special Judge S.C./S.T. (POA) Act,
Vaishali in connection with Mahua P.S. Case No. 350 of 2024
registered for the offences punishable under Section 302 of the
Indian Penal Code as well as Sections 3(2)(v) of the SC/ST Act.
3. Learned counsel for the appellant submits that



appellant is a person with clean antecedent and the informant alleges that his father on 14.05.2024 had gone to Gopalpur for working as a labourer and when he was returning home, the appellant intercepted him near Supaul Taraiya and assaulted him leading to his death and took out Rs. 10,000/- from his pocket.

4. Learned counsel for the appellant submits that the appellant has been falsely implicated in the instant case by the informant. It is next submitted that from perusal of the allegation as alleged in the FIR, it would manifest that informant is not an eye witness to the occurrence nor the FIR discloses that on what basis the informant came to know that it was appellant who committed the occurrence of assault leading to death.

5. Learned Spl. P.P. for the State opposes the appeal and submits that what is not in dispute rather stands admitted is that father of the informant died. It is fairly submitted that the FIR does not disclose that on what basis, the informant came to know about the occurrence, but then it is submitted that the same is an aspect of investigation. It is next submitted that during the course of investigation also it transpired that appellant had assaulted the deceased and an old dispute was prevailing in between the two. It is further submitted that



postmortem of the dead body was conducted and the cause of death, as opined by the doctor, is recorded as due to loss of blood, on account of assault and acid attack. It is also submitted that investigation in the case is continuing.

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

7. **Accordingly the appeal stands rejected.**

(Satyavrat Verma, J)

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