

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.309 of 2026

Arising Out of PS. Case No.-58 Year-2021 Thana- SC/ST District- Samastipur

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Rajnandan Ray S/O Late Fuli Ray R/o village- Baluaha, P.O.- Gobarsitha,
PS.- Kalyanpur, Distict- Samstipur

... .. Appellant/s

Versus

1. The State of Bihar
2. Ramita Devi W/O Pawitar Paswan R/o village- Baluaha, P.O.- Gobarsitha,
PS.- Kalyanpur, Dist.- Samstipur

... .. Respondent/s

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Appearance :

For the Appellant/s : Mr. Mrityunjay Kumar, Advocate
For the Respondent/s : Mr. Binay Krishna, Special P.P.

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

4 17-08-2026 1. Heard learned counsel for the appellant, 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 09.09.2025 in A.B.P. No. 2411 of 2025 passed by
the learned Special Judge, SC/ST (POA) Act, Samastipur in
connection with SC/ST P.S. Case No. 58 of 2021, C.R. No. 272
of 2022, T.R. No. 2018 of 2025 registered under Sections 341,
323, 354, 504 and 506 of the Indian Penal Code as well as
Sections 3(1)(r) and 3(1)(s) of the SC/ST Act.



3. Learned counsel appearing on behalf of the appellant submits that appellant is a person with clean antecedent and has been falsely implicated in the instant case by the informant. It is further submitted that the police, after threadbare investigation, came to a considered conclusion that appellant is innocent, thus, submitted final form in favour of the appellant being Final Form No. 92/2021, dated 30.12.2021 exonerating the appellant of the allegation but then based on protest filed by the informant cognizance came to be taken. It is, thus, submitted that when one investigating agency, after threadbare investigation, came to a considered conclusion that appellant is innocent, whether it would be prudent for the Court to send the appellant to jail based on an order of cognizance which came to be taken based on a protest petition.

4. 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.

5. Learned Special P.P. submits that since cognizance has been taken, as such, a prima facie case is made out but then learned Special P.P. and learned counsel appearing on behalf of the informant are not in a position to rebut the submissions of the learned counsel appearing on behalf of the appellant that the



police, after investigation, submitted final form exonerating the appellant of the allegation.

6. After hearing the learned counsel for the parties, the Court was inclined to grant the privilege of anticipatory bail to the appellant but since cognizance has been taken, as such, the appellant is directed to appear before the learned trial court on 02.09.2026.

7. However, it is made clear that if the appellant appears before the learned trial court on 02.09.2026, in that event, the learned trial court shall consider and dispose of the case on the same day keeping in mind the observations of this Court as recorded hereinabove.

8. Accordingly, the appeal is disposed of.

(Satyavrat Verma, J)

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