

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1554 of 2024

Arising Out of PS. Case No.-92 Year-2022 Thana- DARBHANGA COMPLAINT CASE
District- Darbhanga

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Kapleshwar Safi SON OF LATE RAM LOCHAN SAFI RESIDENT OF
VILLAGE- KASARAU PS- GHASHYAMPUR DIST- DARBHAGA

... .. Appellant/s

Versus

1. The State of Bihar
2. VINOD YADAV SON OF LATE RAMLAKHAN YADAV RESIDENT OF
VILLAGE- KALYANPUR, PS- PANDAUL, DIST- MADHUBANI
3. NITISH YADAV SON OF VINOD YADAV RESIDENT OF VILLAGE-
KALYANPUR, PS- PANDAUL, DIST- MADHUBANI
4. LALIT YADAV SON OF VINOD YADAV RESIDENT OF VILLAGE-
KALYANPUR, PS- PANDAUL, DIST- MADHUBANI
5. SUREKHA YADAV SON OF VINOD YADAV RESIDENT OF VILLAGE-
KALYANPUR, PS- PANDAUL, DIST- MADHUBANI
6. MEENA DEVI WIFE OF VINOD YADAV RESIDENT OF VILLAGE-
KALYANPUR, PS- PANDAUL, DIST- MADHUBANI

... .. Respondent/s

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Appearance :

For the Appellant/s : Mr.Dr Satyendra Kumar Shrivastava
For the Respondent/s : Mr.Usha Kumari 1

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**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

3 15-05-2024 Heard learned counsel for the appellant and the
respondents.

2. The present appeal has been preferred against the
order dated 24-01-2024 passed by learned Special Judge,
SC/ST, Darbhanga in C.R. (P) No. 92 of 2022 whereby and
whereunder the complaint filed by the appellant was dismissed
under the provisions of Section 203 of the Cr.P.C. as in the
opinion of the court below, there was no prima facie case.



3. Learned counsel for the appellant has submitted that it has been mentioned in the complaint petition that the accused persons assaulted the members of Scheduled Castes and they also abused them by calling their caste name.

4. From perusal of the impugned order, it is explicitly clear that the accused persons were not acquainted with the complainant or other members who have been alleged to be abused by the accused persons. The inquiry witnesses in their statements, have stated that the accused were not acquainted with the witnesses. So, it appears prima facie that there was no material for issuance of summons against the respondents (opposite parties) and the learned court below has rightly dismissed the complaint under Section 203 of the Cr.P.C.

5. I do not find any reason to interfere with the impugned order.

6. Accordingly, the present appeal is dismissed.

(Nawneet Kumar Pandey, J)

A.K.V.//-

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