

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.1559 of 2024

Arising Out of PS. Case No.-61 Year-2022 Thana- GOPALGANJ COMPLAINT CASE
District- Gopalganj

Sanjay Kumar

... .. Petitioner/S

Versus

The State Of Bihar Through The District Magistrate, Gopalganj

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Ms. Akanksha Ranjan, Adv. Mr. Santosh Kumar, Adv.
For the Respondent/s	:	Mr.S.C.4

CORAM: HONOURABLE MR. JUSTICE ARVIND SINGH CHANDEL
ORAL ORDER

2 06-12-2024 This petition has been preferred by the petitioner
seeking following reliefs:

*I) That the instant writ petition is filed
for the issuance of an appropriate order / orders,
direction / directions including a writ preferably in
the nature of certiorari for quashing the order dated
11/08/2023 passed in Complaint Case No 61/2022
passed by Learned Additional District and Sessions
Judge cum Exclusive Special Court of SC/ST Act
Gopalganj whereby and whereunder he has taken
cognizance of the offence under section
323,324,341,504,34 of Indian Penal Code and
section 3(1)(r)(s) of Prevention of Atrocities SC/ST
Act.*

II. Any other relief(s) for which the



petitioners is found entitled in the facts and circumstances of the case.

2. Perused the impugned order passed by learned Additional District & Sessions Judge cum Exclusive Special Court of SC/ST Act, Gopalganj passed in Complaint Case No. 61 of 2022 dated 11.08.2023 whereby and whereunder, the learned special court took cognizance against the present petitioners for the offences punishable under Section 323, 324, 341, 504, 34 of IPC and Section 3(1)(r)(s) of Prevention of Atrocities SC/ST Act.

3. It is submitted by the learned counsel for the petitioner that since alleged offences of atrocities is done inside the room and it was not a public place or public view therefore, on this ground only the cognizance for offences punishable under Section 323, 324, 341, 504, 34 of IPC and Section 3(1)(r)(s) of Prevention of Atrocities SC/ST Act is liable to be quashed.

4. Perusal of the contents of the complaint as well as the statements recorded by the court below clearly shows that initially the incident took place inside the room and thereafter, allegedly the accused persons took the complainant outside the room and took him towards the road and there they used the alleged word about caste of the complainant.

5. I do not found any merit or any substance in the



argument raised by the counsel for the alleged offences of atrocities is not committed in public view.

6. Resultly, I do not found any merit in this petition. Accordingly, the petition is dismissed at the admission stage itself.

(Arvind Singh Chandel , J)

Siddharth Soni/-

U		T	
---	--	---	--

