

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1571 of 2025**

Arising Out of PS. Case No.-6 Year-2025 Thana- SC/ST District- Siwan

=====

Avdhesh Kumar Singh @ Avdhesh Singh @ Kaka Ji S/o- Ganesh Prasad
Singh Ro- Maharajganj, Police Station- Maharganj, Dist-Siwan, Bihar

.. ... Appellant/s

Versus

1. The State of Bihar
2. Krishna Kumar Ram S/o- Vijay Ram Village- Safi Chhapra Po Ps- Barharia
Dist- Siwan

... ... Respondent/s

=====

Appearance :

For the Appellant/s	:	Mr.Abhishek Kumar Dwivedi, Advocate
For the State	:	Mr.Binay Krishna, Spl PP
For the respondent no2.	:	Mr. Amit Kumar Anand, Advocate
		Mr. Rabindra Kumar Ravi, Advocate

=====

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

4 12-11-2025 Heard learned counsel for the appellant, learned
counsel for respondent no.2 and learned Special Public
Prosecutor 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 bail vide order dated
25-02-2025 passed by the learned 1st Additional Sessions Judge
-cum- Special Judge, Siwan in connection with SC/ST Siwan
P.S. Case No. 06 of 2025 registered for the offences punishable



under Sections 341, 323, 420, 467, 468, 471, 120-B and 34 of the IPC and Sections 3(1)(r), 3(1)(s), 3(2)(va) of the SC/ST (POA) Act.

3. The allegation against the appellant, is that he facilitated and arranged a meeting between the informant and certain other accused persons, namely Satish Prasad, Subhash Chandra @ Subhash Chandra Bose, Anil Mishra, Satish Kumar, and Suraj Shaw, wherein they planned to obtain money by fraudulent means. In the said meeting, the accused persons allegedly demanded money from the informant on the false pretext of providing employment. It is further alleged that when the informant later demanded the appellant to return his money, the appellant insulted and humiliated him by using caste-indicative remarks, calling him "*Chamar-Siyar*." The prosecution further alleges that the appellant has been threatening the informant with dire consequences for pursuing the case.

4. Learned counsel for the appellant submits that the appellant is innocent and he has been falsely implicated in the present case. It is further submitted that there is no material available on record to substantiate the allegations levelled against the appellant. The appellant has not, at any stage, stated



that the alleged place of occurrence is a public place. It is further submitted that the present case does not fall within the purview of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act. The informant, taking undue advantage of belonging to the SC/ST community, has falsely fabricated the entire story. All allegations made by the informant are baseless, untrue, and concocted with the sole intention to harass the appellant.

5. Learned Special Public Prosecutor for the State as well as learned counsel for respondent no. 2, have vehemently opposed the prayer made on behalf of the appellant. It has been submitted that there are specific and direct allegations against the appellant, who allegedly demanded money on the false pretext of providing employment in connection with teacher recruitment. It is further contended that a sum of Rs.90,000/- was transferred to the *PhonePe* account of the appellant's daughter, Shruti Singh, in three separate transactions made on different dates, from the informant's mobile number 7250077736 to her *PhonePe* number 7061716654.

6. Considering the nature and gravity of the accusation, I do not find any ground to interfere with the impugned order dated 25.02.2025 passed in SC/ST Siwan P.S.



Case No. 6 of 2025 by the learned 1st Additional Sessions
Judge-cum-Special Judge, Siwan.

7. Accordingly, the appeal for pre-arrest bail is
dismissed.

(Khatim Reza, J)

shyambihari/-

U			
---	--	--	--

