

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10222 of 2025

Akhil Bhartiya Anusuchit Jati/Janjati Sangharsh Morcha, Bihar State, Patna through its President Sri Basuki Paswan, Male, aged about 74 years, Son of Late Arbind Paswan, Resident of Village- Ambedkar Nagar, P.O.- Ghorghat, P.S.- Bariarpur, District- Munger, Pin Code- 811211 (Bihar).

... .. Petitioner/s

Versus

1. The Union of India through the Principal Secretary Social Welfare Deptt. Govt. of India, New Delhi.
2. The Secretary, Law Department, Govt. of India, New Delhi.
3. The State of Bihar, through the Chief Secretary, Government of Bihar, Patna.
4. The Principal Secretary, Social Welfare Deptt., Govt. Bihar, Patna.
5. The Principal Secretary, Scheduled Caste and Scheduled tribe Welfare Department, Govt. of Bihar, Patna.
6. The Secretary, SC/ST Welfare Department, Bihar, Patna.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Yogesh Chandra Verma, Sr. Advocate
For the Respondent/s	:	Mr. Additional Solicitor General Advocate General
For UOI	:	Mr. Bindhyachal Rai, Sr. Panel Counsel

CORAM: HONOURABLE THE CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE ALOK KUMAR SINHA
ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

3 22-09-2025 In the instant writ petition, petitioner has prayed for the following reliefs :

“(i) To pay compensation to the victim subjected any omission or commission of any penal Act and lodged Complaint Case against a person who committed any Criminal Offence with a person belonging to the Scheduled caste or Scheduled Tribes category.

(ii) To add the word complaint with



the word of F.I.R. in the Annexure-1 of SC/St (POA) Rule 1995.

(iii) To hold that providing the compensation of the victim to lodged an F.I.R. against any person belonging to the scheduled caste/Scheduled Tribe community and dewaring the such victim who failed to lodged F.I.R. and in place of F.I.R. the said person file a complaint case in Place of F.I.R. is highly condemnable and not sustainable in the eye of law.”

2. Insofar as prayer no. (i) is concerned, it is evident that the State is extending benefits. Paragraph 9 of the counter affidavit filed on behalf of the Respondent Nos. 3 and 4 reads as under :

“That accordingly, the Department has issued clear instruction to all districts vide Departmental Letter No. 3964 dated 01.12.2021, directing that in cases where conviction is achieved in a complaint case under the Act, relief compensation shall be payable to the victim/complainant as per the provisions of Rule 12(4) of the Rules. It is further submitted that the State Government is duty-bound to act within the framework of the Central Law and the rules made thereunder, and the said instructions are in conformity with the legal advice obtained and the spirit of the Act to ensure justice and relief to victims of atrocities, irrespective of



the mode of initiation of proceedings.”

3. Prayer No. (ii) and (iii) are not maintainable unless relevant Rule is challenged. Prayer no. (iii) would be premature to grant any relief at the stage of registration of the F.I.R. in a complaint of case. In the light of these facts and circumstances, present writ petition stands disposed of.

4. Learned counsel for the petitioner, after arguing for some time, seeks permission to withdraw the present writ petition.

5. Accordingly, present writ petition stands dismissed as withdrawn reserving liberty to file fresh petition, strictly in accordance with law.

(P. B. Bajanthri, CJ)

(Alok Kumar Sinha, J)

GAURAV S./-

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