

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.3464 of 2024

Arising Out of PS. Case No.-123 Year-2022 Thana- SIKRAUL District- Buxar

Binod Kumar @ Dr. Vinod Thakur Son of Balbir Thakur R/O Vill. and Post-
Nai Bazar(Tatwa Mohalla), P.S.- Buxar, Dist.- Buxar.

... .. Appellant/s

Versus

1. The State Of Bihar
2. Bhriugu Nath Rajak Son of Late Ramchandra Rajak R/O Vill.- Patarkona,
Post- Belhari, P.S.- Sikroll, Dist.- Buxar.

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Anand Kumar Ojha, Advocate
For the Respondent/s : Mr. Sadanand Paswan, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 29-01-2025 Heard the parties.

I.A. No. 01 of 2024

2. The Interlocutory Application has been filed for
condoning the delay of four months and eight days in filing the
appeal.

3. Considering the statements made in paragraph nos.
4 and 5 and since there is no opposition from the other side, the
same is allowed.

4. The delay in filing the appeal stands condoned.

Cr. Appeal (SJ) No. 3464 of 2024

5. The present petition has been preferred for
quashing the order dated 28.11.2023 passed in connection with



SC/ST Case No. 51/2003 arising out of Sikraul P.S. case NO. 123/2022 passed by learned Additional District Judge-1-cum-Special Judge (SC/ ST) Act, Buxar whereby and where under he has found prima facie case for the offences punishable under section 499 of the I.P.C. and section 3 (1) (r)(s), 3(2)(va) of the SC/ST (POA) Act and 67(A) of the I.T. Act and accordingly taken cognizance against the appellant.

6. As per the prosecution story, a written complaint was lodged alleging that they belong to Scheduled Caste category and posted at Jointed Secretary of the Scheduled Caste Unit of a political party and the appellant herein sent the cropped photograph of him after converting him as a lady with the name Bhriugu Nath Devi @ Laliya Devi, this was done only to lower his image in the eyes of the society as he belongs to the Scheduled Caste category. This led to the rolling of the investigation, charge-sheet whereafter cognizance has been taken.

7. Learned counsel for the appellant submits he did not knew that the person concerned is belonging to the Scheduled Caste category and as such, the cognizance has wrongly been taken.

8. Learned APP on the other hand submits that being



a political figure, everyone knew about him and with the sole purpose to denigrate him before the society, the said act was committed. He has taken this Court to the different pages to show the photographs to prove how his image has been lowered.

9. Having gone through the facts of the case and the materials available on record, the Trial Court on 28.11.2023 after the charge-sheet was submitted against the appellant has rightly taken cognizance after prima facie satisfied that there are sufficient ground to initiate proceeding. In that background, no interference is required.

10. Accordingly, the appeal stands dismissed.

(Rajiv Roy, J)

vinayak/-

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

