

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.3309 of 2024**

Arising Out of PS. Case No.-22 Year-2022 Thana- MADHEPURA COMPALINT CASE
District- Madhepura

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1. BAIDYANATH SAH @ BAIJNATH SAH SON OF LATE BALDEV SAH
RESIDENT OF VILLAGE - SRINAGAR, WARD NO. 5, P.S. -
SRINAGAR, DISTRICT - MADHEPURA
 2. DEV KRISHNA SAH @ DEO KRISHNA KUMAR SON OF
BAIDYANATH SAH @ BAIJNATH SAH RESIDENT OF VILLAGE -
SRINAGAR, WARD NO. 5, P.S. - SRINAGAR, DISTRICT -
MADHEPURA
 3. JAY KRISHNA SAH @ JAI KRISHNA KUMAR SON OF BAIDYANATH
SAH @ BAIJNATH SAH RESIDENT OF VILLAGE - SRINAGAR,
WARD NO. 5, P.S. - SRINAGAR, DISTRICT - MADHEPURA

... .. Appellant/s

Versus

1. THE STATE OF BIHAR
2. MALA DEVI WIFE OF ASHOK RAM RESIDENT OF VILLAGE -
SRINAGAR, WARD NO. 5, P.S. - SRINAGAR, DISTRICT -
MADHEPURA

... .. Respondent/s

Appearance :

For the Appellant/s : Ms.

For the Respondent/s : Mr.Sadanand Paswan, Spl. P.P.

**CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER**

4 27-03-2025 Heard Ms. Tooba Heera, learned counsel for the

 appellants and Mr. Sadanand Paswan, learned Spl. P.P. for the

 State.

2. The present application has been preferred:

*for quashing the order dated 10.10.2023
passed by the learned Additional District and
Sessions Judge-1 cum-Special Judge SC/ST
POA, Madhepura, in connection with
Complaint Case bearing SC/ST (Comp.) Case*



No. 22 of 2022 in which cognizance has been taken against the petitioners under sections 323, 504 of the IPC and under section 3(1)(s) of the SC/ST (Prevention of Atrocities) Act which is bad, illegal and misuse of the process of the Court.

3. As per the prosecution story, the lady has alleged that the matter relates to transfer of the land but the accused persons failed to abide by the promise, when confronted, she was abused by taking caste name and assault. The incident was informed to the Mukhiya of the said village. The meeting took place in the Panchayat Bhawan but the accused chose not to attend it. This followed the Complaint.

4. Learned counsel for the appellants submit that though they have a case in hand, after some argument, Ms. Tooba Heera submits that they shall be raising all the points before the concerned Court at an appropriate stage.

5. Granting said liberty, the appeal stands disposed of.

(Rajiv Roy, J)

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