

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.3803 of 2024

Arising Out of PS. Case No.-589 Year-2018 Thana- FATUA District- Patna

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1. Om Prakash Pandit Son of Late Lakhan Pandit village- Khushiyaipur, Police Station -Fatuha, District -Patna
 2. Dipak kumar @ Deepak Kumar son of Om Prakash Pandit village- Khushiyaipur, Police Station -Fatuha, District -Patna
 3. Mukesh Kumar son of Om Prakash Pandit village- Khushiyaipur, Police Station -Fatuha, District -Patna
 4. Sujeet Kumar @ Pakauri Son of Om Prakash Pandit village- Khushiyaipur, Police Station -Fatuha, District -Patna

... .. Appellant/s

Versus

1. The State of Bihar
2. Rahul Kumar son of Vijay Paswan village- Khushiyaipur, Police Station -Fatuha, District -Patna

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Sunil Prasad, Advocate
For the Respondent/s : Mr. Sadanand Paswan, Spl. P.P.

CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR PANDEY

ORAL ORDER

4 17-06-2025 Heard learned counsel for the parties.

2. The present criminal appeal has been preferred against the order dated 10.07.2024 passed by learned Exclusive Special Judge SC/ST (Prevention of Atrocities) Act, Patna in Special Case No. 529 of 2018 arising out of Fatuha P.S. Case No. 589 of 2018 whereby and whereunder learned Exclusive Special Judge SC/ST (Prevention of Atrocities) Act, Patna has rejected the petition for discharge filed by the appellants. The learned Court below considered the materials, injury reports and



the statement of witnesses and found that *prima facie* material for framing the charges under Sections 448, 341, 323, 324, 325, 354, 379/34 of the Indian Penal Code and Section 3(i)(r) of SC/ST (Prevention of Atrocities) Act was made out against the appellants.

3. Learned counsel for the appellants has submitted that the wife of appellant no. 2 has also lodged a case against the members of informant's side that is Fatuha P.S. Case No. 590 of 2018 under Sections 341, 323, 354, 504/34 of the Indian Penal Code with allegation of outraging her modesty and misbehave. It appears that the F.I.R. lodged by wife of appellant no. 2 is subsequent to the present F.I.R. The learned Court below after considering the materials collected during course of investigation was of the opinion that *prima facie* case was made out against the appellants for framing the charge.

4. I do not see any reason to interfere with the order of the learned Court below, accordingly, the appeal is dismissed.

(Nawneet Kumar Pandey, J)

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