

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66770 of 2025

Arising Out of PS. Case No.-128 Year-2025 Thana- MUNGER MUFFASIL District- Munger

1. Chhavi @ Chhavi Kumar Suman S/o Late Ratan Sah R/o Village -
Maniarchak, P.O - Navgarhi, P.S - Navgarhi, District - Munger

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Abhishek Kumar, Advocate

For the Opposite Party/s : Mr. Chandra Bhushan Prasad, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 25-09-2025 1. Heard learned counsel for the petitioner and
learned Special Public Prosecutor for the State.

2. The case was taken up on 16.09.2025 when it was submitted by the learned counsel appearing on behalf of the petitioner that the instant criminal miscellaneous has been filed under Section 482 of the BNSS, 2023 and not under the provision of the SC/ST Act for the reason that the order impugned has been passed by the learned District and Additional Sessions Judge-I, Munger when the cases relating to SC/ST Act is dealt by the Exclusive SC/ST Courts but since the order impugned has been passed by the learned District and Additional Sessions Judge-I, Munger, as such, the instant anticipatory bail application has been filed and the objection pointed out by the Stamp Reporter of the Patna High Court is



uncalled for.

3. In view of the said submissions made by the learned counsel appearing on behalf of the petitioner, a report was called for from the learned District Judge, Munger.

4. The report of the learned District Judge, Munger in compliance of the order dated 16.09.2025 has been received contained in letter no. 6307 dated 23.09.2025 and from perusal of the report of the learned District Judge, Munger, it manifests that the same records – have perused the above report of the learned District and Additional Sessions Judge-I-cum-Special Judge (SC/ST Act), Munger and from the same it appears that due to typographical mistake of newly appointed stenographer, the full designation of the Special Court as Special Judge (SC/ST Act)-cum-District and Additional Sessions Judge-I, Munger has not been mentioned and inadvertently it has been mentioned as the learned District and Additional Sessions Judge-I, Munger in the impugned order dated 04.08.2025 passed in A.B.P. No. 1154 of 2025 by the learned Special Judge (SC/ST Act)-cum-District and Additional Sessions Judge-I, Munger.

5. The report of the learned District Judge, Munger is clear that the said mistake was committed by the newly appointed stenographer inadvertently.



6. Mr. Chandra Bhushan Prasad, learned A.P.P. at this stage submits that unnecessarily a report was called for. It is further submitted that it appears that the learned Advocate appearing on behalf of the petitioner was misled by the petitioner by informing that the order was not passed by the learned Special Court.

7. Since the order was passed by the learned Special Court constituted under the SC/ST Act, as such, the office objection is sustained.

8. The petitioner is given liberty to convert the criminal miscellaneous into a criminal appeal under Section 14(A) of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Amendment Act, 2015 within a period of three weeks from today.

(Satyavrat Verma, J)

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