

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.4198 of 2024

Arising Out of PS. Case No.-30 Year-2021 Thana- SC/ST District- Nalanda

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1. Ranjay Kumar Verma @ Ranju Son of Late Deokinandan Prasad Resident of Mohalla - Paharpura, Ward No.44, P.S. - Bihar, District - Nalanda
 2. Raj Kumar Prasad Son of Late Deokinandan Prasad Resident of Mohalla - Paharpura, Ward No.44, P.S. - Bihar, District - Nalanda
 3. Alakhdeo Mahto Son of Late Behaso Mahto Resident of Mohalla - Paharpura, Ward No.44, P.S. - Bihar, District - Nalanda
 4. Sadhu Mahto Son of Late Haro Mahto Resident of Mohalla - Paharpura, Ward No.44, P.S. - Bihar, District - Nalanda

... .. Appellant/s

Versus

1. The State of Bihar
2. Chandan Paswan Son of Sanjay Paswan Resident of Mohalla - Paharpura, Ward No.44, P.S. - Bihar, District - Nalanda, Pin Code - 803101

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr. Sanjeev Kumar, Advocate
	:	Ms. Bharti Rai, Advocate
	:	Mr. Sitesh Kashyap, Advocate
For the Respondent/s	:	Mr. Sadanand Paswan, Spl. PP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

4 19-02-2025 Heard Mr. Sanjeev Kumar, learned counsel for the petitioner and Mr. Niti Ranjan representing the respondent no.2 and Mr. Sadanand Paswan, learned Special PP for the State.

2. The present appeal has been preferred:-

*“for setting aside the order dated 07.10.2023
passed by learned Additional Sessions Judge-VI-
cum-Special Judge, SC/ST court, Nalanda at
Bihar Sharif in Special (SC/ST) Complaint case*



no. 677/2021 arising out of SC/ST P.S. Case No. 30/2021 whereby and where under cognizance u/s 341/323/504/34, I.P.C. and Sec. 3(1(r)(s), SC/ST (POA) Act has been taken against the appellants as the present criminal prosecution is completely a malicious criminal prosecution and the same has been set in motion with a view to vex and to harass the petitioners.”

3. Learned counsel for the appellant submits that there are materials on record to show that respondent no.2 along with the witnesses who were presented before the court that led to the cognizance order dated 17.10.2023 are interested witness, inasmuch as earlier also Sidhnath Prasad preferred complaint vide no. 511 of 2017 which came to be quashed on 26.06.2024 in Cr. Misc. No. 42160 of 2018. He/wife are active in politics which gives them reason to harass every now and then.

4. Both learned counsel for the informant as also learned Special PP submit that the appellants will have the occasion to present all these facts before the court concerned at an appropriate stage to show the bonafide.

5. Learned counsel for the appellants at this stage submit that he shall be submitting all the facts to show that



wrong implication has been made in the case.

6. For the present, he wants to withdraw the petition to present the material facts before the court concerned at an appropriate stage.

7. Granting said liberty, the Appeal stands disposed of.

(Rajiv Roy, J)

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