

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.4371 of 2024

Arising Out of PS. Case No.-662 Year-2023 Thana- PURNEA SADAR District- Purnia

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1. The Manager, Shriram Finance Company Ltd. namely Krishna Bali Mandal Son of Jamedar Mandal Village- Bijulia, PS- Biraul, District- Darbhanga
 2. Sanjeev Kumar Son of Ram Kishan Singh village- Mahisaurh, Ps- Jandaha, Dist- Vaishali Agent, Shriram Fianance company, Ltd. Purnea
 3. Avinash Kumar Son of Ashok Sah Village- Chandani Chowk, Ward no. 20, Ps- Saharsa, Dist- Saharsa, Agent, Shriram Finance company, Ltd. Purnea
- Appellants

Versus

1. The State of Bihar
 2. Sanjay Paswan Son of Mahesh Paswan Village- Pologram Gulabbag, Ps- Sadar, Dist- Purnea
- Respondents

Appearance :

For the Appellants	:	Ms. Renu Kumari, Advocate
For the Respondent State:		Mr. Binay Krishna, Spl. P.P.
For the Respondent No.2:		Mr. Raj Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

6 13-11-2025 Heard learned Advocate for the appellants, learned Advocate for respondent no.2 and learned Spl. PP for the State.

2. The present appeal under Section 14 A (2) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 (hereinafter referred to as the “SC/ST Act”) has been preferred by the appellants on being aggrieved with the order dated 04.06.2024 passed by the learned Special Judge SC/ST Court, Purnea, in A.B.P. No.48 of 2024 in connection with Purnea Sadar P.S. Case No. 662 of 2023 registered for the offences punishable under Sections 323. 341. 406, 420 of the Indian Penal Code and Section 3/4 of the SC/ST



Act, whereby the prayer of anticipatory bail of the appellants stood rejected.

3. Based upon a complaint case, the present FIR has been instituted with an allegation that appellants No.1 and 3, who happen to be the Manager and Agent of Shriram Finance Company Ltd., Purnea, persuaded the informant and on their persuasion, the informant deposited Rs.3,31,000.00 for purchasing a truck bearing No. BR-11L-4292. However, despite the payment, the appellants accused persons did not provide the documents of the vehicle and further took Rs.42,000.00 from the informant in the name of preparation of documents of the vehicle. It is further alleged that later on the appellants also seized the vehicle on the pretext of non-payment of installments and took Rs.99,000.00. When the informant protested about the same, all the appellants abused him by taking his caste name.

4. Learned Advocate for the appellants submitted that in fact the present case has been instituted in order to put pressure upon the appellants once they started realizing the installment amount and seized the vehicle on account of non-payment of installments. No date and time has been disclosed as to when the occurrence took place and what kind of the abuse has been hurled to lower down the prestige of the informant.



The complaint case was instituted long back in the year 2020, but surprisingly, the same was sent to the concerned police station for registration of the FIR under Section 156(3) of the Cr.P.C. after three years and, accordingly the present FIR has been instituted. The appellants are men of fair antecedents and they undertake to cooperate in the proceeding of the court.

5. On the other hand, learned Spl. PP for the State as well as learned Advocate for respondent no.2 vehemently opposed the prayer of the appellants and submitted that besides the fact that the appellants have forcibly took a huge amount, they never supplied the documents of the vehicle due to which respondent No.2 has suffered financial loss and further, he is being forcefully compelled to pay the installments of the vehicle which he could not use in absence of the necessary documents.

6. Having considered the submissions advanced by learned Advocates for the respective parties and taking note of the nature of allegation coupled with the delay in forwarding the complaint case for institution of the FIR; besides absence of the materials attracting the provisions of SC/ST Act, as well as the fair antecedents, let the above named appellants, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of four weeks from today, on



furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned Special Judge, SC/ST Act, Purnea, in connection with Purnea Sadar P.S. Case No. 662 of 2023, subject to the condition as laid down under Section 482(2) of the BNSS, with further condition that one of the bailors shall be the own/close family members of the respective appellants.

7. The impugned order dated 04.06.2024 is hereby set aside and the present appeal is allowed.

(Harish Kumar, J)

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