

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.5088 of 2024

Arising Out of PS. Case No.-331 Year-2023 Thana- RAJENDRA NAGAR (T) RAIL P.S.
District- Patna

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Dhirendra Kumar S/O Gupteshwar Prasad R/O Vill- Jodhan Bigha, P.S- Belchhi, Distt.- Patna. At Present Posted on the Post of Booking Supervisor at Rajendar Nagar Terminal.

... .. Appellant/s

Versus

1. The State of Bihar
2. Babita Kumari W/O Late Dinesh Chandra R/O Village- Haridas Pur, Khagaul, P.S- Rupaspur, Distt.- Patna. At Present posted on the post of Senior Booking Clerk at Rajendar Nagar Terminal.

... .. Respondent/s

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Appearance :

For the Appellant/s : Mr. Shambhu Narayan Singh, Adv.
For the Respondent/s : Mr. Sadanand Paswan, Special PP

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

4 03-12-2025 1. Heard learned counsel for the appellant and learned Spl. P.P. for the State, Mr. Sadanand Paswan.

2. This is an 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”) against the refusal of prayer for anticipatory bail vide order dated 27.08.2024 in A.B.P. No. 3126 of 2024 passed by the learned Exclusive Special Judge S.C./S.T. (POA) Act, Sadar Patna in connection with Patna Junction (Rajendra Nagar) Rail P.S. Case No. 331 of 2023 registered for the offences punishable under Sections 341, 323, 504 and 506 of the Indian Penal Code



as well as Sections 3(1)(r)(s) and 3(2)(va) of the SC/ST Act.

3. Learned counsel appearing on behalf of the appellant submits that the case was taken up on 22.11.2024 and the learned Special PP was directed to inform the informant about this appeal.

4. The learned Special PP submits that SHO of the concerned police station was informed for informing the respondent no. 2 and information has already been given to her, on which the learned counsel appearing on behalf of the appellant submits that despite information, the respondent no. 2 chooses not to appear and contest

5. It is next submitted that appellant is a person with clean antecedent and the informant alleges that she is working as a Booking Clerk at Rajendra Nagar Terminal and her colleague Sadhna used to abuse her by taking caste name and when she went to complain to the appellant in his office, she was abused and ousted from the chamber and threatened that she will be suspended.

6. The learned counsel for the appellant submits that appellant has been falsely implicated in the instant case by the informant. It is further submitted that even presuming what has been alleged is true without admitting then the entire



occurrence is alleged to have taken place inside the chamber of the appellant, as such, the occurrence did not take place in public view. It is also submitted that appellant is a government servant and is aware of the consequences which would entail in the event if he indulges in such an act, but then the informant for reasons best known falsely implicated him and this perhaps explains why informant despite being aware of the appeal choose not to appear and contest.

7. Learned Spl. P.P. for the State opposes the appeal.

8. In view of the submissions made by the learned counsel for the appellant, the order dated 27.08.2024 in A.B.P. No. 3126 of 2024 passed by the learned Exclusive Special Judge S.C./S.T. (POA) Act, Sadar Patna in connection with Patna Junction (Rajendra Nagar) Rail P.S. Case No. 331 of 2023, **is hereby set** aside and the appellant above-named, in the event of his arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Patna Junction (Rajendra Nagar) Rail P.S.



Case No. 331 of 2023 subject to the conditions as laid down under Section 482 (2) of the BNSS.

9. Accordingly the appeal stands allowed.

(Satyavrat Verma, J)

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