

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.401 of 2025

Arising Out of PS. Case No.-641 Year-2023 Thana- DAUDNAGAR District- Aurangabad

Amit Kumar S/O Ishwari Prasad @ Ishwari Mahto Village- Birupur (Ghosi)
Ward No.-14 PS- Ghosi District- Jehanabad

... .. Appellant/s

Versus

1. The State of Bihar
2. Lalendra Kumar S/O Lohadi Ram R/O Vill. and Post- Kanap, P.S.-
Daudnagar, District- Aurangabad

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Rajesh Kumar Pathak, Advocate
For the Respondent/s : Mr. Binay Krishna, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

7 31-03-2026 1. Heard learned counsel for the appellant, learned
Spl. P.P. for the State and the learned counsel appearing on
behalf of the informant.

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 07.12.2024 in A.B.P. No. 2529 of 2024 passed by
the learned 1st Additional Sessions Judge-cum-Special Judge
S.C./S.T. (POA) Act, Aurangabad in connection with Daudnagar
P.S. Case No. 641 of 2023 registered for the offences punishable
under Sections 420, 120B and 406 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 for the appellant submits that inadvertently at Para-3 it has been pleaded that appellant is a person with clean antecedent when he has antecedent of three cases. It is next submitted that informant alleges that appellant along with Chintu cheated her and her sister-in-law in the name of completing the course of GNM and in lieu whereof the accused persons took Rs. 3 Lakhs from them and gave receipt of school and admit card, on inquiry it transpired that there is no such college in existence.

4. At this stage, the learned counsel appearing on behalf of the informant submits that police has completed the investigation and submitted charge sheet based on which cognizance has been taken, as such, a prima facie offence is made out against the appellant hence rigors of Section 18 of the SC/ST Act shall apply.

5. Learned counsel for the appellant submits that the appellant has been falsely implicated in the instant case by the informant. It is next submitted that he had taken a loan of Rs. 1,30,000/- from the informant and her brother and since a dispute arose, as such, the instant false case came to be instituted, on which the learned counsel appearing on behalf of



the informant submits that appellant is a resident of the district of Jehanabad while informant is a resident of district of Aurangabad, as such, question of taking loan from the informant and her brother does not arise. It is reiterated and submitted that charge sheet has been submitted and cognizance has been taken.

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

7. After hearing the learned counsel for the parties and taking into consideration the submissions made by the learned counsel appearing on behalf of the informant, the Court is not inclined to entertain the appeal.

8. Accordingly, the appeal stands rejected.

(Satyavrat Verma, J)

Rishabh/-

U		T	
---	--	---	--

