

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.3223 of 2022

Arising Out of PS. Case No.-76 Year-2020 Thana- SC/ST District- Saran

1. PANKAJ KUMAR SINGH Son of Late Chandra Bhushan Singh R/V- Naini, Post- Naini, P.S- Mufassil, Saran, bihar- 841316
2. Piyush Gour Son of Late Bansh Bihari Gaur R/o Bagmali, Hajipur, P.S- Town, Vaishali, Bihar- 844101
3. Rajkishore Kumar Son of Kaushal Kishore Singh R/o Matihan, Dighwara, PS- Dighwara, Saran, Bihar- 841207
4. Dinesh Kumar S/o Ramsharan Prasad R/o Akankgardih, Mosimganj, Ekangar Dih, Ekangardih, P.s- Ekangarsarai, Nalanda, Bihar- 801301
5. Chandan Kumar Gupta Son of Krishna Prasad R/o Govind Chak, Sonpur, P.s- Govind Chak, Saran, Bihar- 841101

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Eashita Raj, Advocate
For the Respondent/s : Mr. Sadanand Paswan, SPP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 29-01-2026 Despite filing Vakalatnama on behalf of the respondent no. 2, no one appears on behalf of the respondent no. 2.

2. Heard learned counsel for the appellants and learned Special P.P. for of the State.

3. This appeal has been filed against the order dated 08.07.2021 passed by learned 1st ADJ cum Special Judge, SC/ST Act, Saran at Chapra in connection with Saran SC/ST P.S. Case No. 76 of 2020, registered under Sections 323,, 384, 469, 471, 506 of the IPC and Sections 3(i)(r)(s) of Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act (for short



“SC/ST Act”), whereby the prayer for anticipatory bail of appellant has been rejected.

4. As per prosecution case, the informant alleged that he was working as a loan officer in Dighwara Branch of RBL Finserv Ltd. and the appellant no. 1 was also posted in the same branch. He further alleged that he faced a lot of discrimination, harassment and humiliation from the side of the appellants on the ground of caste. It is further alleged that whenever he refused to visit other branches they used to abuse him and conspired to implicate him in a false case.

5. Learned counsel for the appellants submits that appellants are innocent and have committed no offence. Present case is a counter blast of the enquiry of RBL Finserv Ltd. regarding defalcation of an amount of Rs. 769463.86/- (Rupees Seven Lakhs Sixty Nine Thousand Four Hundred Sixty Three and Eighty Paise) committed by the informant of the FIR namely Priyaranjan Prasad Nirala who was working as a Group Loan Officer in RBL Finserv Ltd. Co. It appears from the FIR that there is general and omnibus allegation levelled against the appellants and the present FIR has been filed to cover the financial fraud committed by informant about which the company has initiated an investigation against him and a show cause was also issued to him. It is further submitted that after



lapse of about 22 days from the date of issuance of the notice dated 01.10.2020 to informant, the informant filed a written complaint dated 21.10.2020 for the present FIR making false and fabricated case against the appellants. From perusal of F.I.R., there is no allegation of abuse by caste name. Hence, no case of SC/ST Act is made out against the appellants. Appellants claim clean antecedent.

6. Learned Spl. Public Prosecutor for the State opposed the appeal of the appellant.

7. However, considering the aforesaid facts and circumstances and clean antecedent, the impugned order dated 08.07.2021 is, hereby, set aside and this criminal appeal is allowed.

8. Let the appellant, as named above, be released on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned 1st ADJ cum Special Judge, SC/ST Act, Saran at Chapra, in connection with Saran SC/ST P.S. Case No. 76 of 2020.

(Prabhat Kumar Singh, J)

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