

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.4047 of 2022

Arising Out of PS. Case No.-384 Year-2019 Thana- DAUDNAGAR District- Aurangabad

1. Devendra Kumar Singh @ Devendra Singh, Son of Late Rampati Singh, R/O Vill.- Pilchhi, P.S.- Daud Nagar, Distt.- Aurangabad (Bihar)
2. Lallu Kumar @ Ajit Kumar, Son of Chhotan Yadav @ Satyadeo Prasad Singh, R/O Vill.- Pilchhi, P.S.- Daud Nagar, Distt.- Aurangabad (BIHAR)

... .. Appellant/s

Versus

1. The State of Bihar
2. Mamta Devi, Wife of Rajnikant, R/O Vill.- Shital Bigha, P.S.- Daud Nagar, Distt.- Aurangabad (Bihar)

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr.Uma Kant Mishra, Adv.
For the Informant	:	Mr. Diwakar, Adv.
		Mr. Deepak Kumar, Adv
		Mr. Rudra Kant Pandey, Adv.
		Mr. Pallav Kumar Singh, Adv
For the State	:	Ms. Usha Kumari No.1, (Spl P.P.)

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

7 16-07-2026 Heard the parties.

2. This appeal has been preferred under Section 14A(1) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act (hereinafter referred to as the “SC/ST Act”) by the appellants, challenging the order dated 06.09.2022 passed by the learned 1st Additional District & Sessions Judge-cum-Special Judge (SC/ST), Aurangabad, in connection with G.R. No. 173 of 2019, arising out of Daudnagar P.S. Case No. 384 of 2019, registered under Sections 323, 427, 447, 504, and 506 of the Indian Penal Code (hereinafter referred



to as the “IPC”) and Section 3(1)(r) of the SC/ST Act, whereby appellants' petition for discharge has been rejected.

3. Learned counsel appearing on behalf of the appellants submits that there are three title suits pending between the appellants and respondent no. 2, the details of which have been provided in paragraph no. 11 of the petition. During the course of investigation, the witnesses examined by the Investigating Officer were relatives of the informant/respondent no.2. In fact, there is a long standing land dispute between both parties, due to which a false case has been instituted by respondent no. 2 to pressurize the appellants. It is further submitted that a fair investigation was not conducted by the Investigating Officer, while rejecting the prayer of the appellants, the learned trial court failed to appreciate the relevant materials available in the case diary and did not take into consideration the land dispute existing between the parties.

4. Learned counsel appearing on behalf of respondent no. 2 opposes the prayer of the appellants and submits that the appellants were charge-sheeted for the alleged offences, during the course of investigation, all the witnesses supported the allegations, and there is no merit in the present application.

5. After having gone through the FIR, case diary, and



the order of the learned trial court, this Court finds no merit in the present application, as the impugned order rejecting the discharge prayer of the appellants is a well-reasoned order. There are sufficient materials available in the case diary to support the allegations levelled by respondent no. 2 in the FIR, which attract the alleged offences. Accordingly, the instant appeal stands dismissed.

(Shailendra Singh, J)

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