

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.3740 of 2025

Arising Out of PS. Case No.-45 Year-2024 Thana- COMPLAINT CASE District- Jamui

Kailash Das, Son of Dwarika Das, Resident of village- Dhobiyakura, PS- Jhajha, Dist- Jamui

... .. Appellant/s

Versus

1. The State of Bihar
2. Nand Kumar Rai son of not known, At Present SI of Jhajha, Police Station, R/o PS- Jhajha, Dist- Jamui
3. Kunj Bihari son of not known, At Present S.I. of Jhajha PS, R/o PS- Jhajha, Dist- Jamui
4. Sanjay Kumar singh son of Not Known, At Present Officer in Charge of Jhajha PS, R/o PS- Jhajha, Dist- Jamui
5. Pankaj Kumar son of not Known, At Present Police constable of Jhajha, PS, R/o PS- Jhajha, Dist- Jamui
6. Nidhi Kumari, Daughter of Not known, At Present Sub- Inspector of Jhajha, PS, R/o PS- Jhajha, Dist- Jamui

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr. Krishna Pd. Singh, Sr. Adv. Mr. Saket Kumar Singh, Adv.
For the State	:	Ms. Usha Kumari No. 1, SPP
For the private resps.	:	None.

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

8 16-07-2026 Heard the parties.

2. The instant appeal has been filed under section 14A(1) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act (in short, ‘SC/ST Act’) against the order dated 10.06.2025 passed by the learned Additional Sessions Judge-I-cum-Special Judge, SC/ST Act, Jamui, in Complaint Case No. 45C of 2024 instituted for the offences punishable under sections 341, 323, 506 & 164/34 of the Indian



Penal Code and sections 3(1)(d), 3 & 4 of the SC/ST Act, whereby the complaint filed by the appellant has been rejected.

3. Learned senior counsel for the appellant submits that the order impugned is completely bad in the eyes of law and the same has been passed without appreciating the allegations levelled by the appellant in his complaint as well as the statements made by the inquiry witnesses and the learned trial court while rejecting the complaint of the appellant appreciated the evidences in such manner like delivering the final judgment and it is settled principle of law that while determining whether the commission of an offence is made out or not at the time of framing of charge or taking cognizance, only the evidences adduced by the complainant are to be looked into in a summarily manner. Learned counsel further submits that the complainant and his witnesses fully supported the allegations levelled against the respondent Nos. 2 to 6 in the complaint.

4. No one appears on behalf of the private respondents.

5. Learned SPP appearing for the State opposes this appeal and submits that the impugned order passed by the trial court is a reasoned one and has been rightly passed.

6. After having gone through the impugned order, the



statements made by the appellant in his complaint as well as his statement on solemn affirmation and the statements of the inquiry witnesses, this Court finds no merit in this appeal as the trial court’s order is a reasoned one and it appears that the complaint was filed by the appellant against the police officials with a *mala fide* intention and the most important fact is that the complaint was filed after an inordinate delay of 26 days for which this Court finds no satisfactory explanation. Accordingly, the instant appeal is devoid of merit, therefore, the same stands dismissed.

(Shailendra Singh, J)

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