

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.4226 of 2025

Arising Out of PS. Case No.-59 Year-2024 Thana- HAJIPUR SADAR District- Vaishali

Pramod Kumar @ Pramod Shah, S/O Late Dwarika Prasad @ Dwarika Sah,
R/O Village- Gauspur Izra, P.S. - Hajipur Sadar, District- Vaishali

... .. Appellant/s

Versus

1. The State of Bihar
2. Ramdaun Paswan S/O Late Charitra Paswan R/O Village- Asadharpur, P.S. -
Kajipur, District- Vaishali

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Vasant Vikas, Adv.

For the Respondent/s : Mr. Binay Krishna, SPP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

8 23-07-2026 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 26.06.2025 passed by learned Exclusive Special Judge, SC/ST Act-cum-District & Additional Sessions Judge, Vaishali at Hajipur, in G.R. No. 42 of 2024 arising out of Hajipur Sadar P.S. Case No. 59 of 2024, whereby the petition dated 26.06.2025 filed by the appellant with a prayer to discharge him under Section 227 of Code of Criminal Procedure (in Short Cr.P.C.) has been rejected.

3. Learned counsel for the appellant submits that the



alleged occurrence is said to have been committed on 30.01.2024 but the information to the police was given by the informant on 31.01.2024 after the delay of 1 day without any explanation. In fact, the informant lodged the FIR at the instance of the Mukhiya of Gram Panchayat, Gauspur, Izra, against whom the appellant had filed a Complaint Case No. 51 of 2024. It is further submitted that there are serious contradictions among the statements of the persons who have been examined by the investigating officer with regard to the alleged means which was used by the appellant in assaulting the victim and further, after the examination of the victim by the medical expert, no external injury was found which also demolishes the victim's allegation as to he being assaulted by the wooden part of the spade.

4. No one appears on behalf of the respondent No. 2 despite the notice having been validly served upon him as informed by the concerned SHO.

5. After having perused the order impugned, the FIR and the materials in the case diary, particularly, taking into account the statements of three persons mentioned in paragraph Nos. 5, 6 & 7 of the case diary and further, taking note of the appellant's six criminal antecedents, this Court does not find any



illegality in the order impugned and find no merit in this appeal,
so, it stands dismissed.

(Shailendra Singh, J)

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