

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.25 of 2026

Arising Out of PS. Case No.-51 Year-2025 Thana- SC/ST District- Patna

Kumar Sanjay S/o- Anirudha Bind @ Anirudha Prasad R/v- Dihria Ps-
Chenari District-Rotas

... .. Appellant/s

Versus

1. The State of Bihar
2. Mintu Kumar S/o- Doman Rajak R/v- Daulatpur Ps- Bahadur Dist- Patna

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr.Amit Anand
For the Respondent/s	:	Mr.Binay Krishna- Spl.P.P.
		Mr.Dilip Kumar Sinha
		Mr.Kamlesh Kumar

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 06-07-2026 1. Heard learned counsel for the appellant, the learned
counsel appearing on behalf of the informant and the learned
Special Public Prosecutor for the State.

2. The learned counsel appearing on behalf of the appellant has been filed which is taken on record.

3. The appellant has challenged the order dated 02.12.2025 passed by the learned Exclusive Special Judge, SC/ST Act, Civil Court Sadar, Patna in connection with Patna SC/ST P. S. Case No.51 of 2025, instituted for the offences under Sections 126(2), 115(2), 352, 351(2), 351(3), 316(2), 318(4) of the BNS and Sections 3(1)(r)(s), 3(2)(va) of the Scheduled Castes & Scheduled Tribes (Prevention of Atrocities)



Act, whereby his prayer for grant of anticipatory bail has been rejected.

4. The learned counsel appearing on behalf of the appellant submits that appellant is a person with clean antecedent and the informant alleges that he gave Rs.5,34,000/- to the appellant and when he asked for his money back the appellant started ignoring. Further, on 08.02.2023, he gave a cheque of Rs.3 Lacs which on presentation for encashment bounced. It is next alleged that informant went to the house of the appellant for informing him about the bouncing of cheque when he abused by taking caste name.

5. The learned counsel for the appellant submits that appellant has been falsely implicated in the instant case by the informant. It is next submitted that from perusal of the allegations as alleged in the FIR, it would manifest that the dispute is purely civil to which a criminal colour has been given. It is next submitted that informant had given Rs.5,34,000/- to the appellant which the appellant did not return but issued a cheque of Rs.3 Lacs. It is next submitted that if cheque was issued and the same on presentation for encashment bounced, in that event, the informant ought to have instituted a complaint case under the N. I. Act, but then that was not done. It is thus



submitted that instant case has been instituted only to coerce the appellant into submission so that he parts with the fanciful demand of the informant. It is also submitted that from perusal of the allegations as alleged in the FIR, no offence under the SC/ST (POA) Act is made out as the entire occurrence is alleged to have taken place at the house of the appellant and thus was not in public view but still the police in a mechanical manner submitted charge-sheet and the learned trial Court also took cognizance.

6. The learned Special P. P. as well as the learned counsel appearing on behalf of the informant opposes the appeal but then the learned counsel appearing on behalf of the informant submits that charge-sheet in the case has been filed by the police based on which cognizance came to be taken on which the learned counsel appearing on behalf of the appellant submits that this perhaps explains how mechanical the investigation and taking of cognizance is.

7. After hearing the learned counsel for the parties, the Court was inclined to extend the privilege of anticipatory bail to the appellant but since charge-sheet has been submitted and the learned trial Court took cognizance, as such, the appeal is disposed of with a direction to the appellant to surrender



before the learned Trial Court on 22.07.2026.

8. If the appellant surrenders before the learned Trial Court on 22.07.2026, the learned trial Court shall consider and dispose of the case on the same day keeping in mind the observations of this Court as recorded herein above.

(Satyavrat Verma, J)

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