

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.185 of 2020**

Arising Out of PS. Case No.-103 Year-2019 Thana- PANDARAK District- Patna

MANISH KUMAR S/o Sri Ajay Singh Resident of Village- Saidapur, P.O.-
Kaondi, P.S.- Pandarak, Distt- Patna.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Sunil Kumar Singh
For the Respondent/s : Ms.Usha Kumari

**CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER**

2 23-12-2020 The present petition has been taken up for consideration through the mode of Video conferencing in view of the prevailing situation on account of COVID 19 Pandemic, requiring social distancing.

Heard the learned counsel for the appellant and Ms. Usha Kumari, the learned Spl.P.P. for the State.

The present appeal has been preferred under Section 14(A)(2) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 against the refusal of prayer of anticipatory bail vide order dated 20.12.2019, passed by the learned Additional District Judge VIII-cum-Special Judge (ST/SC) Act, Patna in anticipatory bail petition no. 9764 of 2019, arising out of Pandarak PS case no. 103 of 2019 under Sections 363, 366, 376(g), 506/34 of Indian Penal Code and



3(1)(r)(w) of SC/ST Act.

The case of the prosecution in brief according to the informant is that about one year back, one Anand Mohan Singh had met the informant at Pandarak, whereafter they got acquainted as also came close to each other. It is further alleged that in the month of June 2019, the said Anand Mohan Singh had called the informant by mobile phone of one Suraj Bhan Singh to come at Kaondi, whereupon the informant had gone there and the said Anand Mohan Singh had then proposed to her for marrying him. The informant is stated to have believed the said Anand Mohan Singh and then the said Anand Mohan Singh had taken her to a school, where, he had established physical relationship with her and immediately thereupon, the friends of the said Anand Mohan Singh namely Manish Kumar i.e. the petitioner herein and Suraj Bhan Singh had arrived there and had also insisted to engage in establishing physical relationship with the informant, to which the informant had objected, however the said two accused persons including the petitioner herein had forcefully established physical relationship with the informant one by one. It is also alleged that the said accused persons had also made video of the said incident and had threatened her that they would make it viral, in case she



disclosed about the said incident to anyone.

The learned counsel for the appellant has submitted that the appellant is innocent, has been falsely implicated in the present case and is having a clean antecedent. It is further submitted that the appellant has been falsely roped in the present case and is having no complicity in the matter.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the parties and taking into account the materials available on record as also considering the statement made by the victim girl under Section 164 Cr.P.C., before the learned Magistrate, I do not find any merit in the present case, especially on account of the heinous crime committed by the appellant herein, thus the present petition stands dismissed.

(Mohit Kumar Shah, J)

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