

**IN THE HIGH COURT OF JUDICATURE AT PATNA  
CRIMINAL APPEAL (SJ) No.1424 of 2021**

Arising Out of PS. Case No.-20 Year-2020 Thana- SC/ST District- Patna

Vikash Kumar S/O Sri Lalan Thakur R/O Village- Chiraura, P.S Naubatpur,  
District- Patna. ... .. Appellant/s

Versus

The State of Bihar ... .. Respondent/s

**Appearance :**

For the Appellant/s : Mr.Ramesh Kumar Choudhary

For the Respondent/s : Mr.Binay Krishna

**CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN  
ORAL ORDER**

3      08-04-2021                      Heard learned counsel for the appellant and learned  
Special P.P. for the State.

The appeal has been filed by the appellant against the order dated 26.11.2020 by the learned Additional District and Sessions Judge-III cum Special Judge S.C./S.T. Act, Patna whereby the prayer for bail of the appellant was rejected, in connection with Special Case No. 516/2019 (arising out of SC/ST P.S. Case No. 20/2020 arising out of Complaint Petition) registered for the offences under Sections 323, 354, 506, 376 of the Indian Penal Code and under Sections 3 (i)(r) (s) (w) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.

Allegation against the appellant alongwith other accused persons is of committing rape to the informant and abused her caste name and also threatened her husband and son of the informant to kill them.



Learned counsel for the appellant submits that the appellant is innocent and has been committed no offence in this case. He further submits that there is no eye witness and merely on the suspicion the appellant has been made accused in this case. As a matter of fact that the informant in connivance of other villagers have propounded absolutely false, concocted and frivolous prosecution story against the appellant just to put undue pressure upon him. The appellant is in custody since 02.10.2020 and has got no criminal antecedent.

Learned Special P.P. for the State opposed the prayer for bail of the appellant.

Considering the aforesaid facts and circumstances of this case, let the appellant, above named is directed to be released on bail on furnishing bail bond of Rs. 25,000/- (Rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of learned court below where the case is pending in connection with Special Case No. 516/2019.

Accordingly, the order dated 26.11.2020 is set aside and this appeal is allowed.

**(Anjani Kumar Sharan, J)**

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