

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.179 of 2022**

Arising Out of PS. Case No.-54 Year-2021 Thana- MAHILA P.S. District- Sheikhpura

Jogendra Kewat Son of Charitra Kewat, resident of Village- Beldariya, Police
Station- Chewara, District- Lakhisarai.

... .. Appellant/s

Versus

1. The State of Bihar
2. Manju Devi, wife of Bhajju Manjhi At Beldariya Chewara, P.S-Chewara,
District-Sheikhpura

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Arun Kumar

For the Respondent/s : Ms. Usha Kumari 1

**CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER**

4 14-09-2022 Heard learned counsel for the appellant,

informant and learned Special P.P for the State.

The appellant has challenged the order dated

09.12.2021 passed by learned 1st Additional District &

Sessions Judge, Sheikhpura in connection with

Sheikhpura Mahila P.S. Case No. 54 of 2021, arising out

of SC/ST Case No. 82 of 2021 instituted for the

offences punishable under Sections 376, 448, 452, 323,

307 of the Indian Penal Code and Sections 3(1)(r)(s)

(w)1/3(2)(va) of the SC & ST (Prevention of Atrocities)

Act, whereby his prayer for being released on



anticipatory bail has been rejected.

It is alleged against the appellant that he entered into the house of the informant and forcibly committed rape upon her and when the informant resisted, the appellant, out of anger, entered his hand into her private part, due to which, her private part was teared and she became unconscious.

It is submitted by learned counsel for the appellant that appellant has falsely been implicated in this case. For the alleged occurrence of 16.10.2021, the F.I.R has been registered on 26.10.2021 without explaining the delay. A statement has been made in para 3 of the petition that appellant has no criminal antecedent.

In contra, learned counsel appearing on behalf of the informant and learned A.P.P for the State have vehemently opposed the prayer for anticipatory bail of the appellant and submitted that the victim in her 164 Cr.P.C statement has supported the prosecution case.



The injury report of the victim also supports the prosecution case as the injuries have been found to be grievous in nature.

In the facts and circumstances of the case, this Court is not inclined to grant privilege of anticipatory bail to the appellant.

The prayer for grant of anticipatory bail to the appellant stands rejected.

(Sunil Kumar Panwar, J)

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