

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.4174 of 2021**

Arising Out of PS. Case No.-48 Year-2021 Thana- WAJIRGANJ District- Gaya

UPENDRA PRAJAPATI @ UPENDRA PRAJAPAT SON OF LATE
SOHRAI PRAJAPAT Resident of Village - Kurkihar , Ekta Nagar, P.s.-
wazirganj, Distt.- Gaya.

... .. Appellant/s

Versus

THE STATE OF BIHAR

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Sanjay Kumar Mishra
For the Respondent/s : Mr.Sadanand Paswan

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

2 30-06-2022 Heard learned counsel for the appellant and learned
Special Public Prosecutor for the State.

The instant appeal has been filed by the appellant against the order dated 31.08.2021 passed by learned Exclusive Special Judge, SC/ST, Gaya in ABP No. 2144 of 2021 / 99 of 2021 whereby the prayer for bail of the appellant in connection with Wajirganj P.S. Case no. 48 of 2021 under Sections 341, 323, 354, 506,34 of the Indian Penal Code and sections 3(1)(r) (s) of SC/ST (POA) Act was rejected.

As per allegation in the FIR, when daughter of the informant went to cut the grass in the field of Bhola Yadav, appellant came there and with bad intention he has tried to lure her by giving money. On refusal made by her, he tried to rape



her forcibly but anyhow she fled away from there and narrated the incident to her parents.

It is submitted by learned counsel for the appellant that appellant has been falsely implicated in this case. There is no allegation of calling the informant with her caste name in public view. Both parties are co-villagers and due to dirty village politics, he has been made scapegoat. No offence is made out under the provisions of the SC/ST Act against him. He has got no criminal antecedent.

The application for bail is opposed by learned Spl. P.P. for the State.

Having heard learned counsel for the parties and taking into consideration the fact that there is direct allegation against the appellant, I find no illegality in the impugned order dated 31.08.2021 passed by learned Exclusive Special Judge, SC/ST, Gaya in ABP No. 2144 of 2021 / 99 of 2021. The prayer for anticipatory bail is rejected.

The appeal stands dismissed.

(Sunil Kumar Panwar, J)

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