

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1206 of 2023**

Arising Out of PS. Case No.-87 Year-2022 Thana- THAKRAHA District- West Champaran

RAJAN YADAV Son of Amal Yadav R/V- Motipur PS- Thakraha Dist- West
champaran

... .. Appellant/s

Versus

1. The State of Bihar
2. Priti Devi Wife of Pradeep God R/o vill-Motipur, P.S.-Thakraha, Dist- west
Champaran

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Dhannjay Kumar No 2
For the Respondent/s : Mr.Binay Krishna

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

6 30-11-2023 Though notice has been issued to O.P. No. 2, no one
has turned to assist the Court.

Heard learned counsel for the appellant, learned
Special Public Prosecutor for the State.

The instant appeal has been filed by the appellant
against the order dated 8.2.2023 passed by learned Additional
and District and Sessions Judge 1st-cum-Spl. Judge SC/ST
Bettiah, West Champaran whereby the prayer for bail of the
appellant registered under Sections 354(c), 376, 504, 506 of the
Indian Penal Code and sections 3(i)(r), SC/ST Act of SC/ST Act
was rejected.

As per allegation in the FIR, appellant has committed



rape upon the informant and thereafter make her objectionable videos and photos viral on social network with a view to tarnish her image on society.

It is submitted by learned counsel for the appellant that appellant has been falsely implicated in this case. Mobile Number 95xxxxxxx53 does not belong to the appellant from which the video was made viral. Informant has lodged this case after making concocted and fabricated story to grab the money of the appellant. He has not taken the cast name of the informant in public view. No offence is made out under the provisions of the SC/ST Act against them. He has got no criminal antecedent and languishing in judicial custody since 28.11.2022.

The appeal for bail is opposed by learned Spl. P.P. for the State and submitted that in statement recorded u/s 164 Cr.P.C., informant has supported the prosecution story and she has made specific allegation of rape against the appellant. During investigation, several witnesses have supported the prosecution story.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case, I do not find it appropriate to grant bail to the appellant and, as such, his prayer for bail stands rejected.

The appeal stands disposed off.



The trial court is directed to expedite and conclude
the trial.

(Sunil Kumar Panwar, J)

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