

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.2195 of 2024

Arising Out of PS. Case No.-88 Year-2024 Thana- NOKHA District- Rohtas

MEERAJ ANSARI SON OF KAMALU ANSARI @ MD. KALAMUDIN
ANSARI RESIDENT OF VILLAGE - SOTWA, WARD NO. 4, POLICE
STATION - NOKHA, DISTRICT - ROHTAS

... .. Appellant/s

Versus

1. THE STATE OF BIHAR BIHAR
2. SONI KUMARI WIFE OF SUMAN SAURABH RESIDENT OF
VILLAGE - SOTWA, P.O. - GHOSIYA, POLICE STATION - NOKHA,
DISTRICT - ROHTAS

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr.Raghunandan Kumar Singh, Adv.
For the informant	:	Mr. Saket Kumar, Adv.
For the State	:	Mr.Sadanand Paswan, Spl. PP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

3 25-07-2024 Heard learned counsel for the appellant, learned
counsel for the informant and learned Spl. P.P. for the State.

2. This is an appeal under Section 14(A)(2) of the
Scheduled Castes and Scheduled Tribes (Prevention of
Atrocities) Act, 1989 against the rejection of prayer of bail of
the appellant vide order dated 28.03.2024 passed by the learned
Additional District & Sessions Judge-17 cum Special Court
SC/ST Atrocities (Prevention) Act, Rohtas at Sasaram in
connection with Nokha P.S. Case No. 88 of 2024 dated
11.03.2024 registered for the alleged offences punishable under
Sections 341, 323, 376, 504, 506 of the Indian Penal Code and



and Sections 3(i)(r)(s)/ 3(2)(v) of the Scheduled Castes and Scheduled Tribes Act and Section 67A and 67B of the I.T. Act.

3. As per the prosecution case, the appellant is friend of the informant's husband. On 06.02.2024, the petitioner called the informant to meet near the Nasriganj turn and took the informant to the hotel. Thereafter, the appellant forcibly committed rape on the informant by showing knife and made a video of the incident. The appellant also threatened the informant that if the said fact was disclosed to anyone then the video would go viral. On being objected by the informant, the appellant assaulted the informant and abused her by calling her caste name. Thereafter, the appellant made informant's video viral to the family members by sending it.

4. Learned counsel for the appellant submits that the appellant is innocent and has falsely been implicated in this case due to land dispute. The occurrence took place on 06.02.2024 but the F.I.R. was lodged on 11.03.2024 and there is no explanation for this delay. There is general and omnibus allegation of abusing against the appellant. It is further submitted that no member of public was present at the relevant point of time of the incident and hence, no offence under provisions of SC/ST Act is made out against the appellant. It is



further submitted that the appellant has no concern with the alleged offence. The appellant is in custody since 12.03.2024. The appellant has clean antecedent as stated in para 3 of the bail petition.

5. Learned Special Public Prosecutor for the State as well as learned counsel for the respondent no. 2 have opposed the prayer for bail of the appellant. Learned counsel has further submitted that the appellant committed rape on the informant by showing knife and made obscene video viral. The victim in her statement recoded under Section 161 of the Cr.P.C. has supported the prosecution case.

6. Considering the aforesaid facts and circumstances of the case as well as the specific and heinous nature of the allegation against the appellant, I am not inclined to enlarge the appellant above-named on bail.

7. The application stands rejected.

(Chandra Prakash Singh, J)

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