

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL APPEAL (SJ) No.41 of 2025**

Arising Out of PS. Case No.-267 Year-2024 Thana- RAMNAGAR District- West Champaran

Jay Prakash Patel @ Jayprakash Patel S/O Prabhu Patel R/O Nepali Tola,  
Ward no. 01, P.S- Ramnagar, District- West Champaran.

... .. Appellant/s

Versus

1. The State of Bihar Bihar
2. Jyoti Kumari D/O Late Gauri Shankar Mahto R/O Village- Banwariya, P.S- Sahodara, Presently Resident of Village- House of Prema Vikaram Sah, Nepali Tola, Raj Darbar, P.S- Ramnagar, Distt.- West Champaran, Bihar.

... .. Respondent/s

**Appearance :**

|                      |   |                      |
|----------------------|---|----------------------|
| For the Appellant/s  | : | Mr.Umesh Kumar Gupta |
| For the Respondent/s | : | Mr.Usha Kumari 1     |

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

ORAL ORDER

4      08-05-2025                      Heard learned counsel for the appellant and learned  
Spl. P.P. for the State.

2. This is an appeal under Section 14A(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 21.11.2024 passed by the learned District and Additional Sessions Judge 1st-cum-Special Judge, SC/ST, Bettiah, West Champaran arising out of Ramnagar P.S. Case No. 267/2024 dated 17.06.2024 registered for the alleged offences punishable under Sections 376D of the Indian Penal Code and Sections 3(1)(r)(s)(w), 3(2)(v) of the Scheduled Castes and Scheduled Tribes Act.



3. As per the prosecution case, the appellant and the co-accused are alleged to have taken the informant to the house of the appellant and the appellant committed rape on the informant.

4. Learned counsel for the appellant submits that the appellant is innocent and has falsely been implicated in this case. 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. As per the Medical Report, there is no recent sign of sexual activity. The appellant has five criminal antecedents as stated in para 3 of the bail petition. The appellant is in custody since 19.06.2024.

5. Learned Special Public Prosecutor for the State has vehemently opposed the prayer for bail of the appellant. The victim in her statement recorded u/s 164 of the Cr.P.C. has stated the name of the petitioner in the crime alleged.

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 set aside the impugned order dated 21.11.2024 passed by the learned District and Additional Sessions Judge 1st-cum-Special Judge, SC/ST,



Bettiah, West Champaran arising out of Ramnagar P.S. Case No. 267/2024 and accordingly, the prayer for bail of the appellant is rejected.

(Chandra Prakash Singh, J)

atul/-

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