

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1367 of 2025

Arising Out of PS. Case No.-30 Year-2024 Thana- RIVILGANJ District- Saran

Bhola Soni @ Bhola Sonar @ Bhola Sahani S/o Yogendra Soni R/o Village-
Bagaura, P.S.- Daraudha, District- Siwan

... .. Appellant/s

Versus

1. The State of Bihar
2. Anita Devi W/o Birendra Manjhi R/o vill - Naya Basti Semariya, P.S.-
Revilganj, Distt.- Saran

... .. Respondent/s

Appearance :

For the Appellant	:	Mr.Harish Kumar, Advocate
For the State	:	Mr.Binay Krishna, Spl.P.P.
For the Respondent-2	:	None

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 25-11-2025 Heard learned counsel for the appellant and learned

Special P.P. for of the State. Despite valid service of notice,

nobody appears on behalf of respondent no. 2.

2. This appeal has been filed against the order dated

10.02.2025 passed by learned Exclusive Special Judge, SC/ST
Act, Saran at Chapra in connection with Revilganj P.S. Case No.
30 of 2024, registered under Sections 341, 323, 363, 376D, 504,
506 of the Indian Penal Code and Sections 3(1)(r)(s), 3(2)(r) of
the Scheduled Castes and Scheduled Tribes (Prevention of
Atrocities) Act (for short “SC/ST Act”), whereby the prayer for
bail of appellant has been rejected.



3. As per F.I.R., on 03.02.2024 at 11 AM, while the informant was returning from Revilganj Police Station, on way, the F.I.R. named accused persons and two unknown persons took her to a lonely place and thereafter, committed rape one-by-one upon her.

4. Learned counsel for the appellant submits that appellant has committed no offence and has been falsely implicated in this case. Neither appellant is named in the F.I.R. nor his name figured in the statement of the victim recorded under Section 164 Cr.P.C. There is no allegation of abuse against this appellant and as such, no case under SC/ST Act is made out against this appellant. The appellant has got clean antecedent and is in custody since 05.02.2025.

5. Learned Spl. Public Prosecutor opposes the appeal.

6. However, considering the aforesaid facts and circumstances as well as period of custody and clean antecedent, the impugned order dated 10.02.2025 is, hereby, set aside and this criminal appeal is allowed.

7. Let the appellant, as named above, be released on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Judge, SC/ST Act, Saran at Chapra in



connection with Revilganj P.S. Case No. 30 of 2024.

(Prabhat Kumar Singh, J)

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