

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1397 of 2025

Arising Out of PS. Case No.-175 Year-2024 Thana- MOHANPUR District- Gaya

Vikki Kumar @ Vikki Yadav S/O Hirawan Yadav Resident of Village- Badki Bihiya, PS- Mohanpur, Dist- Gaya

... .. Appellant/s

Versus

1. The State of Bihar
2. Priya Kumari W/O Ambedkar Kumar Resident of Village- Badki Bihiya, P.O.- Itwan, PS- Mohanpur, Dist- Gaya

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr. Satish Kumar Sinha, Advocate
For the Respondent/s	:	Mrs. Usha Kumari 1, SPP
For the Informant	:	Mr. Sanjay Kumar Sinha, Advocate

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

4 10-07-2025 Heard learned counsel for the appellant, learned Special Public Prosecutor for the State and learned counsel for the informant. Perused the case diary.

2. The instant appeal has been filed by the appellant against the order dated 24.02.2025 passed by learned Exclusive Court of the Special Judge, SC/ST, Gaya whereby the prayer for bail of the appellant in connection with Mohanpur P.S. Case No. 175 of 2024 under Sections 341, 376, 452, 354D, 506 of the IPC of SC/ST Act was rejected.

3. The prosecution case, in short, is that, the appellant raped the informant at gunpoint in her home on 15.08.2023 and continued to sexually exploit her for several months under



threat. It is further alleged that he created a fake Facebook ID using her mobile number, made the video of the incident viral.

4. Learned counsel for the appellant submitted that the appellant is innocent and has falsely been implicated in the present case. Learned counsel further submitted that from perusal of the FIR it appears that the relationship of the appellant with the victim was consensual one. He further submitted that appellant never promised to marry the victim to establish physical relation with her. Learned counsel for the appellant further submitted that the appellant has not taken the caste name of the informant in public view, hence, no offence under the provisions of SC/ST Act is made out against him. The appellant has no intention to disgrace the image of the informant in public view. The appellant is in custody since 17.01.2025 and has no criminal antecedent.

5. Learned Special P.P. for the State and the informant have vehemently opposed the prayer for grant of bail to the appellant, stating that victim in her statement recorded under Section 183 of the BNSS has supported the case of the prosecution.

6. Considering the aforesaid facts and circumstances of the case, nature and gravity of offence as also Section 183



BNSS statement of the victim, this Court is not inclined to grant
bail to the appellant.

7. Accordingly, the present appeal is dismissed.

(Rudra Prakash Mishra, J)

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