

**IN THE HIGH COURT OF JUDICATURE AT PATNA  
CRIMINAL APPEAL (SJ) No.1751 of 2025**

Arising Out of PS. Case No.-15 Year-2025 Thana- BIHAR District- Nalanda

Manish Aryan @ Aryan @ Manish Arya Son of Mithlesh Yadav R/O Vill- In-  
dwas, P.S.- Rahui, District- Nalanda

... .. Appellant/s

Versus

1. The State of Bihar.
2. Sulekha Devi @ Sulekha Kumari W/O Arun Paswan R/O Vill- Samasti, P.S.-  
Deepnagar, District- Nalanda

... .. Respondent/s

**Appearance :**

|                         |   |                                 |
|-------------------------|---|---------------------------------|
| For the Appellant/s     | : | Mr. Anil Kumar Singh, Advocate  |
| For the Respondent/s    | : | Mr. Binay Krishna, Special P.P. |
| For the respondent no.2 | : | Mr. Saurabh Kumar, Advocate     |
|                         |   | Mr. Subhash Kumar, Advocate     |

**CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA  
ORAL ORDER**

3      26-05-2025                      Heard learned counsel for the appellant, learned  
counsel for the respondent no.2 and learned Special Public  
Prosecutor 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 (hereinafter in short referred to as the  
'SC/ST Act') against the refusal of prayer for bail vide order  
dated 11.04.2025 passed by learned Additional Sessions  
Judge-VI- cum Special Judge (SC/ST Act), Nalanda at  
Biharsharif in connection with Bihar P.S. Case No. 15 of  
2025 registered under Sections 70 (1) of the B.N.S., 2023  
and Section 3(1) (r) (s) (w) (i) and 3 (2) (v) of the



Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.

3. The allegation in the first information report is that the appellant, on the pretext of dropping the informant to her residence, had taken into a room and rape was committed upon her by the appellant along with two others.

4. It is submitted by learned counsel for the appellant that the entire story, as alleged by the informant, is false and concocted and the same has been alleged under the pressure and direction of some cyber criminals. As a matter of fact, the appellant and the informant were in love relationship but the parents of the informant were adamant to marry the informant to some other person. Subsequently, the informant started making pressure for solemnizing marriage and on the pressure of cyber criminals this case has been lodged. This fact has been admitted by the informant and she supported herself in a supplementary affidavit filed in the present case, which is in the form of joint affidavit filed by the counsel of both sides, wherein it has been stated that the informant had lodged this case on pressure and it has also been communicated that an application has also been



filed on behalf of the informant on 24.02.2025 before the learned Chief Judicial Magistrate, Nalanda at Biharsharif stating that she (respondent no.2) is not interested to pursue this case against the appellant. Further, she has clarified in the affidavit sworn by her that she is of 37 years old, which will be apparent from her Aadhar Card and not 22 years as stated in the first information report. The said application filed before the learned Court below has also been brought on record by way of joint affidavit filed on behalf of the parties. Learned counsel for the appellant has also invited attention of this Court to the fact that even during the medical examination of the informant no sign of any sexual assault or any internal or external injury has been found. Hence, the medical evidence also does not support the allegations made in the first information report. Appellant has been languishing in custody since 11.01.2025.

5. Taking into consideration the entire facts and circumstances of the case as also considering the statements made in the joint affidavit filed by both the sides, the above named appellant is directed to be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satis-



faction of the learned Additional Sessions Judge-VI-cum  
Special Judge (SC/ST Act), Nalanda at Biharsharif in con-  
nection with Bihar P.S. Cae No.15 of 2025.

6. Accordingly, the impugned order is set  
aside and this appeal is allowed.

**(Soni Shrivastava, J)**

Trivedi/-

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