

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.2086 of 2025

Arising Out of PS. Case No.-296 Year-2024 Thana- DHAMDAHA District- Purnia

Dablu Yadav @ Dablu Kumar Son of Ganaur Yadav Resident of village -
Balu Tol Durgapur, P.S.- Sarsi, District - Purnea.

... .. Appellant/s

Versus

- 1. The State of Bihar Bihar
- 2. Manorma Devi Wife of Akhlesh Rajak Resident of village - Kukraun, Ward
No.- 7, P.S.- Dhamdaha, District - Purnea

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr. N.K. Agarwal, Sr. Advocate Mr. Kumar Rajdeep, Advocate Mr. Bidhu Ranjan, Advocate
For the Respondent/s	:	Mr. Sadanand Paswan, Sp.P.P
For the Informant	:	Mr. Rabindra Nath Tiwari, Advocate Mr. Rakesh Kumar Jha, Advocate

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

ORAL ORDER

5 13-11-2025 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 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 07.03.2025 passed by the learned Special Judge, SC/ST, Purnea in connection with Dhamdaha P.S. Case No. 296/2024 dated 01.12.2024 registered for the alleged offences punishable under Sections 191(2), 126, 115(2) and 103 of the B.N.S and Sections 3(1)(r), 3(1)(s), 3(2)(v) of the



Scheduled Castes and Scheduled Tribes Act.

3. As per the prosecution case, the appellant and the co-accused persons are alleged to have committed rape on the informant's daughter one by one and thereafter killed her by strangulating her.

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. There is no previous enmity. There is no eye witness of alleged occurrence. There is nothing against the petitioner except the confessional statement which has no evidentiary value in the eye of law. It is further submitted that the appellant has no concern with the alleged offence. The appellant has no criminal antecedents as stated in para 3 of the bail petition. The appellant is in custody since 12.12.2024.

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. In case diary, the confessional statement of the appellant is mentioned in which he has stated that the petitioner along with the other co-accused



persons committed rape on the victim, when the victim threatened them that she would lodge a case against them, thereafter, the appellant tied the legs of the victim with his muffler and the co-accused, Gajendra Kumar caught hold of the hands of the victim and closed her mouth and the appellant tied the thread around the victim's neck tightly with her hair and kept pulling the thread till her death

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 07.03.2025 passed by the learned Special Judge, SC/ST, Purnea in connection with Dhamdaha P.S. Case No. 296/2024 and accordingly, the prayer for bail of the appellant is rejected.

(Chandra Prakash Singh, J)

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