

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.2532 of 2025

Arising Out of PS. Case No.-15 Year-2024 Thana- MAHILA P.S. District- Kaimur (Bhabua)

1. Srikant Yadav @ Shri Kant Yadav Son of Anil Yadav Resident of Village - Dildar Nagar, P.S.- Dildar Nagar, District - Gajipur (U.P).
2. Rajanikant Yadav Son of Badhu Yadav @ Amardhesh Singh Yadav Resident of Village - Diya, P.S.- Ramgarh, District - Kaimur at Bhabhua.

... .. Appellant/s

Versus

1. The State of Bihar Bihar
2. Dhanwati Kumari @ Neha Sonali Daughter of Shri Bajrangi Ram Resident of Village - Kusumpur, Dildarnagar, P.S.- Dildarnagar, District - Gajipur (U.P).

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Pawan Kumar Singh
For the Respondent/s : Mr.Sadanand Paswan

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

4 09-10-2025 Heard learned counsel for the appellants and learned Spl. P.P. 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 against the rejection of prayer of bail of the appellant vide order dated 29.05.2025 passed by the learned Additional District & Sessions Judge-I, Kaimur at Bhabua in connection with Mahila P.S. Case No. 15 of 2024 dated 21.04.2024 registered for the alleged offences punishable under Sections 341, 323, 365, 376D, 379, 504 and 506 read with



section 34 of the Indian Penal Code and and Sections 3(1)(r) (2)/ 3(2)(v) of the Scheduled Castes and Scheduled Tribes Act.

3. As per the prosecution case, the appellants are alleged to have committed rape on the informant. It is further alleged that the accused persons abused the informant by calling her caste name and also threatened her that she would be killed if she disclosed the offence to anyone.

4. Learned counsel for the appellants submits that the appellants are innocent and have 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 appellants. The occurrence took place on 18.04.2024 but the F.I.R. was lodged on 21.04.2024 and there is no explanation for this delay. It is further submitted that the appellants have no concern with the alleged offence. The appellant no. 1 and 2 are in custody since 10.06.2024 and 15.05.2024 respectively. The appellant no. 1 has two criminal antecedents and the appellant no. 2 has one criminal antecedent as stated in para 3 of the bail petition.

5. Learned Special Public Prosecutor for the State has opposed the prayer for bail of the appellants and submitted that



the specific allegation is against the appellants who committed rape on the informant one by one. Learned counsel has further submitted that the victim in her statement recorded u/s 164 of Cr.P.C. has supported the prosecution case. Paras 1, 2, 5, 8, 14 and 85 of the case diary which clearly shows that the appellants have direct involvement in the alleged offence.

6. Considering the aforesaid facts and circumstances of the case as well as the specific and heinous nature of the allegation against the appellants, I am not inclined to set aside the impugned order dated 29.05.2025 passed by the learned Additional District & Sessions Judge-I, Kaimur at Bhabua in connection with Mahila P.S. Case No. 15 of 2024 and accordingly, the prayer for bail of the appellants is rejected.

(Chandra Prakash Singh, J)

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