

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.2498 of 2025

Arising Out of PS. Case No.-71 Year-2024 Thana- TURKI KHARARU District- Muzaffarpur

Munna Kumar S/o- Ram Naresh Mahto Village- Jawadih Ps- Turki Dist- Muzaffarpur

... .. Appellant/s

Versus

1. The State of Bihar Bihar
2. Rima Devi W/o- Rakesh Kumar Village- Turki Ps- Turki Dist- Muzaffarpur

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Nachiketa Jha, Adv.

For the Respondent/s : Mr.Binay Krishna, Spl.PP

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

3 16-10-2025 Heard learned counsel for the appellant and learned Spl. P.P. for the State. However, learned counsel for the respondent no. 2 is not present despite notice is validly served upon the respondent no. 2.

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 for bail of the appellant vide order dated 09.06.2025 passed by the learned Special Judge SC/ST (PoA) Act, Muzaffarpur in connection with B.P. No. 144/2025 arising out of Turki P.S. Case No. 71 of 2024 dated 26.05.2024 registered for the alleged offences punishable under Sections 354A, 354B, 354C, 376, 504, 506 and 509 of the Indian Penal Code and Sections 66E and 67 of the I.T. Act and 3(1)(r)(s)



(w)/ 3(2)(va) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.

3. As per prosecution case, the informant alleged that she had gone to the appellant's shop to get her Aadhaar card issued. The appellant asked for her mobile number to send the OTP and then the informant provided the same. Thereafter, the appellant started calling the informant on her mobile and began talking obscenely and threatening her in various ways. Out of fear, the informant established a relationship with the appellant. Later, the appellant took nude photographs of the informant and uploaded her videos on Facebook. Feeling ashamed and humiliated, the informant attempted to hang herself. Her husband broke the door and rescued her, after which she was treated at Sadar Hospital. The appellant continued to harass her over the phone saying that he would upload more videos and would ruin her dignity.

4. Learned counsel for the appellant submits that the appellant is innocent and has falsely been implicated in this case. Learned counsel has further submitted that no particular caste name has been called by the appellant hence no case is made out under SC/ST Act. It is further submitted that the informant (P.W.1) has not stated anything against the appellant in her examination-in-chief. Learned counsel has further submitted that the appellant has



no concern with the alleged offence. The appellant has no criminal antecedent as stated in para 3 of the bail petition. The appellant is in custody since 16.01.2025.

5. Learned Special Public Prosecutor for the State has vehemently opposed the prayer for bail of the appellant.

6. In view of the aforesaid facts and circumstances of the case as well as finding substance in the contention of the learned counsel for the appellant, the impugned order dated 09.06.2025 passed by the learned Special Judge SC/ST (PoA) Act, Muzaffarpur in connection with B.P. No. 144/2025 arising out of Turki P.S. Case No. 71 of 2024, is set aside against the appellant. The criminal appeal is allowed.

7. Accordingly, the above named appellant, is directed to be enlarged on bail on furnishing bail bond of Rs. 20,000/- (Rupees Twenty thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge SC/ST (PoA) Act, Muzaffarpur in connection with B.P. No. 144/2025 arising out of Turki P.S. Case No. 71 of 2024.

(Chandra Prakash Singh, J)

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