

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.2670 of 2025

Arising Out of PS. Case No.-64 Year-2025 Thana- BELDOUR District- Khagaria

Rinku @ Pintu Choudhary S/o Police @ Ramu Choudhary R/o vill - Rohiyama, ward no. 18, P.S.- Beldour, Distt.- Khagaria

... .. Appellant/s

Versus

1. The State of Bihar
2. Prema Devi W/o Manoj Paswan R/o vill - Rohiyama, ward no. 16, P.S. - Beldour, Distt.- Khagaria

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Mritunjay Kumar, Adv.
For the Respondent/s : Mr. Usha Kumari 1, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

3 13-11-2025 Heard learned counsel for the appellant 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 of bail *vide* order dated 19.06.2025 passed by the learned District and Additional Sessions Judge-1st-cum-Special Judge, SC/ST, Khagaria in connection with Beldour P.S. Case No. 64/2025 dated 23.02.2025 registered for the offence/s punishable u/ss 64, 126(2), 115(2), 352, 351(2), 351(3) read with Section 3(5) of the B.N.S. and Section 3(2)(v) of the SC/ST Act.



3. As per the prosecution case, when the informant's daughter was returning to her house from the cattle shed after feeding the cows then the appellant took her to his house at the point of pistol and committed rape on her. On 23.02.2025 when the informant's daughter returned to her home, she told about the entire incident to the informant, thereafter, the informant went to the house of the appellant then all the accused persons started abusing her by taking caste name and they assaulted her with lathi, iron rod and gadasa with an intention to kill.

4. Learned counsel for the appellant has submitted that the appellant has falsely been implicated in this case due to ulterior motive. There is love affair between both the parties. The victim is a major girl. It is further submitted that there is nothing on record which shows that the victim was forced to have illicit intercourse with another person. The petitioner has no concern with the alleged offence. The appellant has no criminal antecedent as stated at para 3 of the bail petition. The appellant is in custody since 02.04.2025.

5. Learned Spl.P.P. for the State has vehemently opposed the prayer of bail and submitted that the specific allegation of committing rape on the point of pistol is against the appellant. The re-statement of the informant at para-2 of the



case diary and the victim in her statement recorded under Section 183 of the B.N.S.S. have supported the case of the prosecution.

6. Considering the aforesaid facts and circumstances of the case as well as the specific and heinous nature of allegation against the appellant, I am not inclined to set aside the impugned order dated 19.06.2025 passed by the learned District and Additional Sessions Judge-1st-cum-Special Judge, SC/ST, Khagaria in connection with Beldour P.S. Case No. 64/2025 and accordingly, the prayer for bail of the appellant is rejected.

7. Learned trial court is directed to conclude the trial of the appellant at the earliest.

(Chandra Prakash Singh, J)

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