

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.3694 of 2025

Arising Out of PS. Case No.-165 Year-2025 Thana- CHENARI District- Rohtas

Bechan Singh @ Dev Chand Singh Son of Madan Singh R/o Village -
Malhipur, P.S. - Chenari, District - Rohtas.

... .. Appellant/s

Versus

1. The State of Bihar
2. Parwati Kumari @ Parwati Devi D/o Shiv Prasad Paswan R/o Village -
Malhipur, P.S.- Chenari, District - Rohtas.

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr. Rakesh Singh, Adv.
For the Respondent/s	:	Mr. Usha Kumari 1, Spl.P.P.
For the Informant/s	:	Mr. Rajanikant Singh, Adv.

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

ORAL ORDER

2 25-09-2025 Heard learned counsel for the appellant and learned
counsel for the informant as well as 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
12.08.2025 passed by the learned Special Judge, SC/ST,
Sasaram at Rohtas in connection with Chenari P.S. Case No.
165 of 2025 dated 23.04.2025 registered for the offence/s
punishable u/ss 69, 74, 88, 61(2), 126(2), 115(2), 351(2) and
352 of the B.N.S. and Section 3(1)(r), 3(1)(s), 3(1)(w) of SC/ST



(POA) Act.

3. As per the prosecution case, the appellant is alleged to have established physical relationship on the victim on the pretext of marriage due to that she became pregnant which was aborted by giving her medicine. It is further alleged that the appellant threatened to kill the victim and his family members.

4. Learned counsel for the appellant has submitted that the appellant has falsely been implicated in this case due to ulterior motive. The victim is a major girl who knows the consequence of the act of the appellant. Learned counsel has further submitted that the victim girl and the appellant chose to have physical relationship with their own will. 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 the provisions of SC/ST Act is made out against the appellant. The appellant has no concern with the alleged offence. Learned counsel for the appellant placed reliance on the judgment of **Mandar Deepak Panwar vs. State of Maharashtra & Anr. (Criminal Appeal No. 442 of 2022)** in which “a distinction was made between a false promise to marriage which is given on understanding by the maker that it will be broken and a breach of promise which is made in good faith but subsequently not



fulfilled”. The appellant has no criminal antecedents as stated at para 3 of the bail petition. The petitioner is in custody in this case since 09.07.2025.

5. Learned Spl.P.P. for the State as well as learned counsel for the informant have vehemently opposed the prayer of bail.

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 12.08.2025 passed by the learned Special Judge, SC/ST, Sasaram at Rohtas in connection with Chenari P.S. Case No. 165 of 2025 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, Sasaram at Rohtas in connection with Chenari P.S. Case No. 165 of 2025, with a condition:-

(i) The appellant is directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable



cause, the bail bond of the appellant is liable to be cancelled.

(Chandra Prakash Singh, J)

shivam/-

U		T	
---	--	---	--

