

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL APPEAL (SJ) No.287 of 2026**

Arising Out of PS. Case No.-204 Year-2025 Thana- BAKHARI District- Begusarai

Razaur Rahman Ansari S/o Late Hakim Abdul Rahman Resident of Village-  
Bakhri Garhi Tola, P.S - Bakhri, District - Begusarai

... .. Appellant/s

Versus

1. The State of Bihar
2. Sunita Kumari D/o Jagnarayan Ram R/o Village - Bakhri, Garhi Tola, Ward  
No. 15, P.S - Bakhri, District - Begusarai

... .. Respondent/s

**Appearance :**

|                      |   |                          |
|----------------------|---|--------------------------|
| For the Appellant/s  | : | Mr. Ravindra Kumar Singh |
| For the Respondent/s | : | Mrs. Usha Kumari I       |
| For the Res No. 2    | : | Mr. Krishna Prabhat      |
|                      |   | Mr. Mahendra Thakur      |
|                      |   | Mr. Ratan Raj            |

**CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR**  
**ORAL ORDER**

3      23-04-2026                      Heard learned counsel for the appellant and learned  
  
Special Public Prosecutor for the State as well as learned  
  
counsel appearing on behalf of the informant.

2. The present appeal has been preferred against the  
  
order dated 11.12.2025 passed by the learned Exclusive Special  
  
Judge, SC/ST Act, Begusarai in connection with Bakhri P.S.  
  
Case No. 204 of 2025, registered for the offence punishable  
  
under Sections 87, 352, 115(2) and 351(2) of the Bharatiya  
  
Nyaya Sanhita, 2023 and Section 3(i)(r)(s) of the SC/ST Act,  
  
whereby the prayer for bail of the appellant has been rejected.

3. As per the prosecution case, the allegation against



the appellant is that he took away the victim and, on the pretext of marriage, subjected her to sexual assault. It is further alleged that he also abused the victim by using caste-based derogatory remarks.

4. Learned counsel for the appellant submits that the appellant is innocent and has been falsely implicated in this case. It is further submitted that there is no specific allegation against the appellant and there is no allegation of intentional insult or intimidation with intent to humiliate the informant in any place within public view so as to attract the provisions of the SC/ST Act. It is further submitted that the appellant is in custody since 17.10.2025 and has no criminal antecedent.

5. Learned Special Public Prosecutor for the State and learned counsel for the informant have opposed the prayer for bail.

6. Having considered the submissions of the parties and upon perusal of the materials available on record, it appears that no specific overt act has been attributed to the appellant. Further, the essential ingredients to attract the provisions of the SC/ST Act *prima facie* do not appear to be made out against the appellant. The FIR has been lodged after a delay of about two months. From a reading of the FIR, it appears to be a case of a



consensual relationship between the parties.

7. Accordingly, the impugned order dated 11.12.2025 passed by the learned Exclusive Special Judge, SC/ST Act, Begusarai in connection with Bakhri P.S. Case No. 204 of 2025, is set aside, and the appeal is allowed.

8. Let the appellant be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor Court in connection with Bakhri P.S. Case No. 204 of 2025.

9. It is made clear that the observations made herein are *prima facie* in nature and confined only to the adjudication of the present appeal for bail and shall not be construed as an expression on the merits of the case.

**(Sandeep Kumar, J)**

Shishir/-

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