IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.3104 of 2026

CNR No. BRHC010809222026

Arising Out of PS. Case No.-180 Year-2026 Thana- SAKRA District- Muzaffarpur

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Nathu Sahni S/o Late Mahag Sahni R/o Village - Mahmadda, PS - Pusa, District - Samastipur

... ... Appellant/s

Versus

1. The State of Bihar
2. Sanju Devi W/o Lakhindra Ram R/o - Balua, P.O - Raine, P.S - Sakra, District - Muzaffarpur

... ... Respondent/s

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Appearance :
For the Appellant/s : Mr. Anirudh Kumar Sinha, Advocate
For the Respondent/s : Mr. Sadanand Paswan, SPP
For the Respondent No.2: Mr. Sanjeev Kumar, Advocate

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CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

4 29-10-2026 Heard learned counsel for the appellant, learned Special Public Prosecutor for the State, learned counsel for the informant/Respondent No. 2 and perused the case diary.

2. The instant appeal has been filed by the appellant against the order dated 11.06.2026 passed by learned Special Judge SC/ST (POA) Act, Muzaffarpur, whereby the prayer for bail of the appellant in connection with Sakra P.S. Case No. 180 of 2026, under Sections 115(2), 79, 76, 64, 62, 352, 351(2) of the Bharatiya Nyaya Sanhita, 2023 and read with Section 3(1)(r)(s)(w)(i)(ii) of SC/ST Act was rejected.

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3. Prosecution case, in short, is that on 03.03.2026, the appellant was allegedly caught attempting to establish physical relations with the informant's 20-year-old speech-impaired daughter while she was alone at home. The informant and her sister-in-law apprehended the appellant and handed him over to the police. It is further alleged that the appellant abused the informant by caste name.

4. Learned counsel for the appellant submits that the appellant is innocent and has falsely been implicated in the present case. Charge-sheet has been submitted in this case. It is also submitted that the appellant has not committed any such offence as alleged against him. It is next submitted that the informant has denied for the medical examination of the victim. Learned counsel for the appellant further submits that the appellant has not taken the caste name of the informant in public view. Hence, no offence under the provisions of SC/ST Act is made out against him. The appellant has no intention to disgrace the image of the informant in public view. The appellant is in custody since 03.04.2026 and has got no criminal antecedent.

5. Learned Special P.P. for the State and the informant have vehemently opposed the prayer for grant of bail to the appellant. Learned SPP for the State also submits that specific

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allegation has been attributed against the appellant that he has made an attempt to commit rape upon the speech-impaired daughter of the informant and was also apprehended on the spot. Learned counsel for the informant further submits that the trial is in progress and one witness has already been examined in this case. Hence, the appellant does not deserve the privilege of bail.

6. Considering the aforesaid facts and circumstances of the case, specific allegation as also nature and gravity of the offence, this Court is not inclined to grant bail to the appellant at this juncture.

7. Accordingly, the appeal stands dismissed. The trial Court is directed to expedite the trial. However, if the trial is not concluded within a period of four months from the date of receipt/production, the appellant will have liberty to renew his prayer for bail in the learned Court below.

(Rudra Prakash Mishra, J)

Rajorshi/-

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