

Rohit Kumar Yadav, Age about 25 years, S/o Laxmi Narayan Gop
@ Laxmi Gope, Sex-Male, R/o Village-Dumartoli, P.O.-Kharka,
P.S.-Kairo, Dist.-Lohardaga, Jharkhand

Versus

1.The State of Jharkhand

2.X

.....Respondents

CORAM: HON'BLE MR. JUSTICE SANJAY PRASAD

For the Appellant : Mr. Aman Kr. Rahul, Advocate
Mr. Anant Vikram, Advocate

For the State : Mr. Subodh Kr. Dubey, A.P.P

ORAL ORDER IN COURT

Order No.03/15th October 2025

This Criminal Appeal has been filed on behalf of the appellant by challenging the order dated 15.07.2025 passed in MCA No. 1102 of 2025 by Sri Yashwant Prakash, learned AJC-II-cum-Special Judge, SC/ST Act, Ranchi in connection with SC/ST Case No. 32/2025 corresponding to SC/ST P.S Case No. 10/2025 instituted for the offences under Sections 126(2)/74/77/64/352/351(3)/3(5) of B.N.S. and under Section 3(1)(r), 3(1)(s), 3(1)(w)(i) of SC/ST Act by which the prayer for bail of the appellant has been rejected.

2. The prosecution case, in brief is that, about six months ago Rohit Yadav (Appellant) of finding her alone in her house committed rape upon Informant and the appellant after giving threatening with knife, recorded her objectionable video with mobile. He also gave threatened that if she tell about the occurrence to her mother then he will kill her brother and will kidnap her. Lalu Yadav brother-in-law of Rohit Yadav also

supported him. Informant belongs to scheduled caste, so in order to save her prestige she did not tell about the occurrence to anyone. Again on 17.01.2025 appellant came to her house to make physical relation and when her brother asked him why he came here then he started quarreling with her brother. In the meantime, he snatched her golden chain. The appellant by pointing gun to her brother told him to get her married with him and again on 19.01.2025 he gave threatening, threw stones and made attempt to kill them. It is alleged that as the appellant was in possession of her obscene photos and video, by blackmailing her he made physical relation with her 5-6 times and threatened her of dire consequences. The appellant again wanted to continue the process, so informant told about the occurrence to her brother and family members.

3. Heard learned counsel for the appellant and learned APP for the State.

4. Learned counsel for the appellant submitted that the impugned order passed by the learned Court below is illegal, arbitrary and not sustainable in eye of law. It is submitted that the appellant is innocent and has not committed any offence. It is submitted that there is love affair between the appellant and the victim girl for a long period, which was objected by the brother and family members of the victim girl. Learned counsel for the appellant has also tried to show some photographs of love affair between the parties, during course of argument. It is further submitted that the victim girl has refused her medical examination which is evident from the Para-18 of the case diary. It is further submitted that there is nothing on record to show that the appellant had prepared any indecent video of the victim girl. It is further submitted that the appellant is in custody since 01.03.2025 and

hence, he may be enlarged on bail.

5. On the other hand, learned APP has opposed the prayer of bail and submitted that there is direct allegation against the appellant for committing rape upon the Informant forcibly and preparing her video. It is submitted that the victim girl has supported about the incident during her statement recorded under Section 183 of B.N.S.S. However, learned APP has fairly admitted that the victim girl had refused for her medical examination and hence, the prayer of bail of the appellant may be rejected.

6. Perused the case diary and records of this case.

7. It appears that despite sending notice to the victim girl vide order dated 04.09.2025 through Senior Superintendent of Police, Ranchi, the victim girl has not appeared.

8. It also appears that there is direct allegation against the appellant for committing rape upon the victim girl forcibly six months prior to lodging of the F.I.R and also preparing her indecent/objectionable video.

9. It also appears that the victim girl during her statement recorded under Section 183 of BNSS has supported the prosecution case, though the victim girl has not given her consent for the medical examination.

However, the victim girl during her statement recorded under Section 180 of BNSS and her mother at paragraph 5 and 6 of the case diary have fully supported this fact that the appellant had forcibly committed rape upon the victim girl.

10. Thus, in view of the above, this Court is not inclined to release the appellant namely Rohit Kumar Yadav on bail and accordingly, the prayer for bail of the appellant is, hereby, rejected.

11. The order dated 15.07.2025 passed in MCA No. 1102 of 2025 by Sri Yashwant Prakash, learned AJC-II-cum-Special Judge, SC/ST Act, Ranchi is affirmed.

12. Thus, this Criminal Appeal (SJ) No. 713 of 2025 is dismissed.

(Sanjay Prasad, J.)

Dated 15/10/2025

Nishant/-