

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10345 of 2015

Arising Out of PS.Case No. -41 Year- 2014 Thana -SC/ST District- JEHANABAD

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1. Chitranjan Kumar @ Chitranjan Yadav Son of Vijay Yadav resident of Village; Jamalpur, Police Station; Kako, District Jehanabad.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Umesh Kumar

For the Opposite Party/s Mr. Md.Sufiyan (App)

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR SRIVASTAVA
ORAL ORDER

02/ 17.03.2015 Heard learned counsel for the petitioner as well as learned Addl. Public Prosecutor for the State.

Petitioner apprehends his arrest in connection with SC/ST Jehanabad P. S. case no. 41/2014 registered under sections 448, 354 of the IPC and section 3 (I) (X) of the SC/ST (Prevention of Atrocities) Act.

Petitioner is named in the first information report with allegation that he attempted to outrage the modesty of a woman belonging to scheduled caste community.

The submission on behalf of the petitioner is that alleged occurrence is said to have taken place on 22.8.2014 whereas first information report was lodged on 27.8.2014 i.e. after five days delay of the alleged occurrence and no explanation of the aforesaid delay has been given.

In my view, this anticipatory bail application is not

maintainable as the same is in the teeth of section 18 of the SC/ST (Prevention of Atrocities) Act. Accordingly, this petition stands dismissed.

However, it is made clear that at the time of consideration of regular bail application of the petitioner, the concerned court shall pass appropriate order on the regular bail application of the petitioner without being prejudiced by this rejection order, particularly, keeping in mind the allegation levelled against the petitioner as well as delay in lodging the first information report.

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(Hemant Kumar Srivastava,J)

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