

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.43288 of 2015

Arising Out of PS.Case No. -17 Year- 2015 Thana -MAHILA P.S. District- MADHEPURA

=====

Manoj Prakash Yadav, Son of Late Hriday Yadav, resident of village- Naya Gaon, Moura, P.S. Shankarpur, District- Madhepura.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

=====

CORAM: HONOURABLE MR. JUSTICE RAMESH KUMAR DATTA
ORAL ORDER

3 24-11-2015 Heard learned counsel for the petitioner and learned A.P.P. for the State.

The petitioner prays for anticipatory bail in a case registered for the offences punishable under Sections 376, 511 and 354 of the Indian Penal Code and Section 3 (i) (x) of the S.C./S.T. (Prevention of Atrocities) Act, 1989 and also Protection of Children from Sexual Offences Act, 2012.

At the outset, learned A.P.P. for the State submits that in view of the allegations made in the first information report on several counts, the case is squarely covered by the provisions of the SC/ST Act. Thus, the petitioner has no right to move this Court for grant of anticipatory bail.

On a consideration of the allegations made in the first information report, the stand of learned A.P.P. for the State appears to be correct.

The anticipatory bail application of the petitioner is, accordingly, dismissed. However, the petitioner shall be at liberty to surrender in the court below and pray for bail which shall be considered on its own merit, as this Court has not considered the merits of the case while rejecting the application for anticipatory bail.

(Ramesh Kumar Datta, J)

V.P.Sinha/-

U			
---	--	--	--