

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.13604 of 2016

Arising Out of PS.Case No. -206 Year- 2015 Thana -BARACHATTI District- GAYA

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Ramashish Yadav, Son of Nagina Yadav, Resident of Village- Dahiyar,
Police Station -Barachatti District Gaya.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shailesh Kumar

For the Opposite Party/s : Mr. Ram Shankar Das, Spl. P.P.

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA
ORAL ORDER

2 09-05-2016

Heard.

The petitioner apprehends his arrest in a criminal prosecution registered under Sections 376D and 120B of the Indian Penal Code as also under Section 3(2)(v) of The Scheduled Castes and the Scheduled Tribes (Prevention Of Atrocities) Act, 1989 and Section 6 of The Protection of Children from Sexual Offences Act, 2012.

Taking into consideration the fact that the petitioner is specifically named in the FIR vide Annexure-1 as an accused and he is alleged to have participated in the crime of gang rape of a girl, who is said to be minor, as also taking into consideration the fact that for grant of anticipatory bail in cases involving the penal provisions of The Scheduled Castes and the Scheduled Tribes (Prevention Of Atrocities) Act, 1989, a bar under Section 18 of the Act has been created, this Court is not inclined to accede to the prayer made on behalf of the petitioner for grant of anticipatory bail. Accordingly, his prayer for grant of anticipatory bail in connection with Barachatti P.S. Case No.206 of 2015 pending in

the court of learned Special Judge, POCSO, Gaya is rejected.

However, if the petitioner surrenders in the court below within a period of four weeks from today and applies for regular bail, then the same shall be considered and decided on its own merits without being prejudiced by the present order.

(Birendra Prasad Verma, J)

Arvind/-

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