

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.19025 of 2016

Arising Out of PS.Case No. -23 Year- 2016 Thana -SHERGHATI District- GAYA

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Jitendra Yadav, S/o Jagdish Yadav, resident of village - Singh Pokhar, P.S.
Dobhi, District - Gaya

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Dharmendra Kumar Sinha, Advocate

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

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER

2 10-05-2016

Heard learned counsel for the petitioner and learned

Additional Public Prosecutor for the State.

This application for grant of anticipatory bail arises out of Sherghati (Dobhi) P.S. Case No. 23 of 2016, disclosing offences under Sections 376 and 511 of the Indian Penal Code and Section 3 (1)(x) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities), Act, 1989.

Upon perusal of the First Information Report, I find that an offence under Section 3 (1)(xi) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities), Act, 1989, and therefore, this application for anticipatory bail cannot be maintained in view of Section 18 of the said Act.

It has been submitted on behalf of the petitioner that

there has been delay of three days in lodging of the First Information Report, which casts serious doubt on the veracity of the prosecution case.

Be that as it may, considering Section 18 of the said Act, this application cannot be maintained.

Accordingly, this application for anticipatory bail is, hereby, rejected.

The petitioner is directed to surrender before the court below within four weeks and seek regular bail, if so advised. If he does so, his application for regular bail shall be considered on its own merit without being prejudiced by rejection of present application for grant of anticipatory bail.

(Chakradhari Sharan Singh, J)

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