

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.1447 of 2017

Arising Out of PS.Case No. -5 Year- 2017 Thana -HUSAINGANJ District- SIWAN

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1. Rajendra Yadav, son of Late Barai Yadav, resident of Village- Sareya,
P.S.- Hussainganj, District- Siwan.

.... Appellant/s

Versus

1. The State of Bihar.

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Ajay Kumar Pandey

For the Respondent/s : Mr. Sri Sadanand Paswan

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 01-07-2017 The appellant seeks pre arrest bail in connection with

Hussainganj P.S.Case No.498 of 2017 (arising out of Hussainganj
P.S.Case No.05 of 2017), registered for offences punishable under
Sections 447, 448, 451, 452, 323 & 376 of the Indian Penal Code
and Section 3 (i)(x) of SC/ST (Prevention of Atrocities) Act.

Submission of the learned counsel for the appellant is
that the compliant petition itself shows that there was consent for
physical relation, due to which dispute arose between the parties,
as such he has been falsely implicated in this case.

Heard learned Special P.P. also as well as the learned
counsel for the informant. They have opposed the prayer for pre-
arrest bail stating that there is clear allegation against the appellant
constituting offences under Section 3 of the S.C./S.T. (Prevention



of Atrocities) Act.

Having heard both sides and in view of the allegation, this appeal is not maintainable.

Let appellant surrender before the special court and make prayer for regular bail, which will be considered by the learned Special Judge on the basis of submissions as stated above as well as the materials available on the record and he will pass appropriate order, if possible on the same day.

With the above observation, this appeal is disposed of.

(Vinod Kumar Sinha, J)

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