

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Appeal (SJ) No.2016 of 2018

Arising Out of PS.Case No. -281 Year- 2017 Thana -KHIJARSARAI District- GAYA

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Ajay Kumar @ Ajay Yadav, Son of Dev Yadav, Resident of Village-Chhathar,
P.S.- Khijarsarai, District-Gaya.

.... Appellant/s

Versus

The State of Bihar

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Kunwar Narayan Jamuar, Adv

For the Respondent/s : Mr. Binay Krishna, SPP

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR

ORAL JUDGMENT

Date: 27-08-2018

Heard learned counsel for the parties.

This is an appeal under Section 14(A)(2) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 against the refusal of prayer for bail by order dated 16.03.2018 in POCSO Case No.75 of 2017 passed by the learned A.D.J. 1st-cum-Special Judge (POCSO Act), Gaya, in connection with Khijarsarai Police Station Case No.281 of 2017 registered under Sections 341,323,354(A),354(B)/34 of the Indian Penal Code, Section 8,11(I)(2) of POCSO Act and Section 3(1)(r)(s)(w)(I)(II) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

According to FIR, the appellant attempted to sexually assault to the informant, a girl aged about 15 years. The victim has supported the aforesaid allegation in her



statement under Section 164 Cr.P.C.

Submission is that land dispute is the background of the present false allegation. Appellant is in custody since 12.03.2018. The parties have entered into a compromise.

Considering the nature of act committed by the appellant as disclosed as well as statement of the victim, I am not inclined to enlarge the appellant on bail.

Hence, prayer for bail is refused.

The learned trial court is directed to expedite the trial and conclude the same within six months from the date of receipt/production of a copy of this order.

Accordingly, this appeal stands dismissed.

(Birendra Kumar, J)

Nitesh/-

AFR/NAFR	NAFR
CAV DATE	NA
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