

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.2757 of 2018

Arising Out of PS. Case No.-8 Year-2018 Thana- MAHILA P.S. District- Bhabhua (Kaimur)

Shiv Singh Yadav, son of Ram Sakal Yadav, resident of Village- Khamkala,
P.S. Adhaura, District- Kaimur (Bhabua).

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Pawan Kumar Singh

For the Respondent/s : Mr. Binay Krishna

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL JUDGMENT

Date : 08-10-2018

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 (hereinafter referred to as the “SC/ST Act”) against the refusal of prayer for regular bail vide order dated 05.07.2018 passed by the learned Additional Sessions Judge-1st, Kaimur at Bhabha in SC/ST Reg. No.19 of 2018, arising out of Mahila (Bhabua) Police Station Case No.08 of 2018 registered under Section 376 of the Indian Penal Code as well as Section 4 of the POCSO Act and Section 3(1)(w) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.

According to F.I.R., the appellant allegedly ravished to the informant by committing house trespass.



Submission of the learned counsel for the appellant is that false implication is there just to pressurize the appellant not to demand refund of consideration money from the father of the informant with whom there was an agreement to sale and subsequently, land was not found to be of the father of the informant. The Police has inquired that matter and the fact has come in the case diary.

The inquiry report at *Annexure 2* does not reveal, as to who were the persons to state before Police that there was dispute for land between the parties.

At this stage, informant cannot be disbelieved. Hence, I am not inclined to enlarge the appellant, above named, on bail. Accordingly, this appeal stands dismissed.

The learned trial court is directed to expedite the trial.

(Birendra Kumar, J)

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Uploading Date	
Transmission Date	

