

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.3430 of 2017

Arising Out of PS.Case No. -95 Year- 2017 Thana -NIMCHAKBATHANI District- GAYA

- =====
1. Vikash Yadav, Son of Satendra Yadav.
 2. Hawa Yadav @ Santosh Yadav, Son of Ram Ratan Yadav, Both are resident of Village- Chanda Chak, P.S.- Neemchak Bathani, District- Gaya.

.... Appellant/s

Versus

1. The State of Bihar.

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Kunwar Narayan Jamuar

For the Respondent/s : Mr. Binay Krishna

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

3 10-01-2018

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 by the learned Special Judge (S.C./S.T.), Gaya in Neemchak Bathani P.S. Case No. 95 of 2017 registered under Sections 376(D), 323, 379, 504/34 of the Indian Penal Code as well as Section 3(i)(r)(s)W(i)(ii)(2)(v) of the SC/ST Act.

Allegation against the appellants and another co-accused is of commission of gang rape against the informant.

Submission is that the appellants are in custody since 07.10.2017. Appellants have got no criminal antecedent,



there is no eye-witness of the occurrence and there is no medical evidence to corroborate the allegation against the appellants.

Considering the fact that there is nothing to disbelieve the informant at this stage, I am not inclined to enlarge the appellants on bail.

Hence, prayer for bail is refused.

Learned trial court is directed to expedite the trial.

(Birendra Kumar, J)

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