

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Appeal (SJ) No.665 of 2017

Arising Out of PS.Case No. -673 Year- 2014 Thana -KHAZANIHAT District- PURNIA

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Suresh Chouhan @ Suresh Prasad Chouhan S/o. Yugeshwar Chouhan, R/o.
Mohalla-J.P. Nagar, P.S. K. Hat, District- Purnea

.... Appellant/s

Versus

The State of Bihar

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Hansraj, Advocate

For the Respondent/s : Mr. Sadanand Paswan, SPP

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR

ORAL JUDGMENT

Date: 19-07-2018

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 anticipatory bail vide order dated 07.09.2016 passed by the learned Sessions Judge, Purnea, in A.B.P. No.1080 of 2016/CIS No.904 of 2016, arising out of K. Hat Police Station Case No.673 of 2014, registered under Sections 354/341/504 of the Indian Penal Code and Section 3(i)(x) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

Allegation against the appellant and two other accused persons is of commission of attempt to rape against the informant. Besides the informant, her daughter who was present there has also supported the allegation before the police. However, the police did



not send up the appellant for trial for the reason that some independent witnesses stated that the appellant was not involved in the occurrence.

Considering the statement of the victim, in my view, it is not a fit case for anticipatory bail. Accordingly, the appeal against the refusal of anticipatory bail stands dismissed as devoid of any merit.

The appellant is directed to surrender within two weeks, failing which the learned Court-below shall take coercive steps for arrest of the appellant.

(Birendra Kumar, J)

Mkr./-

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