

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.3371 of 2018

Arising Out of PS. Case No.-82 Year-2017 Thana- GANGTA District- Munger

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Teni Kumar Yadav S/o Angani Yadav @ Anjani Yadav, R/o Chhotki Manjhgai
(Manjhgain), P.S.- Gangata, District- Munger.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

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Appearance :

For the Appellant/s : Mr. Kamal Kishore Jha, Adv

For the Respondent/s : Mr. Smt Usha Kumari No-1, SPP

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL JUDGMENT

Date : 04-12-2018

Heard learned counsel for the parties.

This is an appeal under Sections 14(A)(2) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, against refusal of the prayer for anticipatory bail by order dated 16.08.2018 in A.B.P. No.1043 of 2018 passed by the learned Additional Sessions Judge-1st Munger in connection with Gangata P.S.Case No. 82 of 2017 registered under Sections 366(A)/34 of the Indian Penal Code as well as under Sections 3(1)(XII) of the Scheduled Castes and Scheduled Tribes Act and Section 3/4 POSCO Act.

The statement of the victim girl would reveal that co-accused-Chhotu and this appellant forcefully kidnapped her and took her to the house of the



appellant. Thereat, Chhotu ravished her, appellant was also present.

Submission is that the victim did not support her statement under Section 164 Cr.P.C. while deposing in court vide her statement at Annexure-3 rather she has alleged that Bablu had ravished her.

Considering the entire facts of this case, in my view, this is not a fit case for grant of anticipatory bail.

In the event of surrender of the appellant, prayer for regular bail shall be considered without being prejudiced by this order.

Accordingly, this appeal stands dismissed.

(Birendra Kumar, J)

Nitesh/-

AFR/NAFR	NAFR
CAV DATE	NA
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