

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.673 of 2019

Arising Out of PS. Case No.-27 Year-2014 Thana- SC/ST District- Madhubani

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KAILASH YADAV @ RAM KAILASH YADAV, S/O Late Dome Yadav,
Resident of Village- Murliya Chauk, Police Station- Bisfi (Patauna), District-
Madhubani

... .. Appellant

Versus

THE STATE OF BIHAR

... .. Respondent

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Appearance :

For the Appellant/s : Mr.Sanjay Kumar, Advocate

For the Respondent/s : Mr.Binay Krishna, Special P.P.

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL JUDGMENT

Date : 28-02-2019

This appeal is for grant of pre-arrest bail to the appellant against the order dated 23.1.2019 passed by Additional Sessions Judge-I-Special Judge, SC/ST Act, Madhubani, in A.B.P. No.2085 of 2018 by which learned Special Judge has rejected prayer for pre-arrest bail of the appellant, who has been made accused in SC/ST P.S.Case No. 27 of 2014, registered under Sections 341, 323, 379, 354B, 504, 34 of the Indian Penal Code and Section 3(ii)(v) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.

Allegation as per complaint petition, on which FIR was registered, is that earlier daughter of the informant was kidnapped with intention to marry her and she was recovered and accused persons were threatening to withdraw the case and specific allegation against one Indradeo Thakur is of abusing the informant.

Submission of learned counsel for the appellant is that no specific allegation has been attributed against him and he has falsely been implicated.



Heard learned Special P.P., who has opposed the prayer for anticipatory bail of the appellant stating that appellant is named in the FIR.

Having heard both sides and in view of the fact that FIR is of the year 2014 and in 2019 appellant has come for grant of anticipatory bail and in the facts and circumstances, I am not inclined to grant privilege of anticipatory bail to the appellant, rather he should surrender and make prayer for regular bail, which shall be considered on its own merit, without being prejudiced by this order and, if possible, to be disposed of on the same day.

With the above observation, this appeal is disposed of.

(Vinod Kumar Sinha, J)

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Uploading Date	
Transmission Date	

