

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.2435 of 2019

Arising Out of PS. Case No.-220 Year-2017 Thana- HAJIPUR District- Vaishali

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Rajeev Ray @ Rajiv Rai Son of Ashok Ray @ Ashok Rai Resident of Village
- Rambhard, P.S.- Town Hajipur, District - Vaishali

... .. Appellant

Versus

The State of Bihar

... .. Respondent

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Appearance :

For the Appellant/s : Mr.Sri Sunil Kumar Singh
For the Respondent/s : Mr.Binay Krishna

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL JUDGMENT

Date : 16-11-2019

Heard learned counsel appearing for the appellant as well as learned Additional Public Prosecutor for the State and perused the record.

This criminal appeal has been preferred against the impugned order dated 18.02.2019 passed by learned 1st Additional Sessions Judge cum Special Judge, Hajipur at Vaishali in Hajipur Town P.S. Case No. 220 of 2017 by which and whereunder he dismissed the anticipatory bail petition filed on behalf of the appellant under Section 438 of the Cr.P.C.

The appellant along with one other FIR named accused is said to have committed rape on the informant, who belongs to Scheduled Caste community.



Submission on behalf of the appellant is that there is delay in lodging the case and moreover, the medical evidence does not support the claim of informant.

Taking note of the aforesaid submissions as well as facts and circumstances of the case, I am not inclined to extend the privilege of anticipatory bail to appellant. Moreover, anticipatory bail of the appellant is not maintainable in view of Section 18 of SC/ST (Prevention of Atrocities) Act.

Accordingly, this criminal appeal stands dismissed.

(Hemant Kumar Srivastava, J)

shahzad/-

AFR/NAFR	NAFR
CAV DATE	N.A.
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