

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.4015 of 2019**

Arising Out of PS. Case No.-12 Year-2014 Thana- SC/ST District- Buxar

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1. JHULAN YADAV @ JHULAN SINGH Son of Late Ramanand Yadav
Resident of Village - Baradho Tola, P.S.- Sikraul, District- Buxar
 2. Lallan Yadav @ Lallan Singh Son of Late Swarup Yadav Resident of Village
- Basaon Kala (Kanli Dera), P.S.- Sikraul, District- Buxar

... .. Appellant/s

Versus

The State of Bihar Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Vijay Kumar
For the Respondent/s : Mr.Binay Krishna

**CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER**

7 19-12-2019 Heard the parties.

By way of this memo of appeal, preferred under Section 14(A) of the Scheduled Caste/Scheduled Tribes (Prevention of Atrocities) Act, 1989, appellants seek for setting aside the order dated 1.4.2019 passed in SC/ST P.S.Caes No.12 of 2014/G.R.no.1251 of 2014 of for the offences punishable under Section 395, 397, 376 of the Indian Penal Code and Section 3(i)(x) of SC/ST (POA) Act by the learned Addl. Sessions Judge Ist cum Special Judge, Buxar whereby and where-under, the appellants' application for grant of anticipatory bail has been rejected.

As per FIR, there is allegation against the appellants



of committing rape upon the complainant.

Submission of the learned counsel for the appellants is that none of the independent witness has supported the prosecution case and now the matter has also been compromised and there is land dispute and earlier a case had also been lodged with respect to the earlier occurrence by the appellants' side.

Hard learned Special P.P. also.

Having heard both sides, considering the facts and circumstances of the case, I am not inclined to grant privilege of anticipatory bail to the appellants, however, if they surrender and pray for regular bail, the same shall be considered by the learned Special Judge on the basis of the materials available in the case diary without being prejudiced by the order of this Court, if possible to be disposed of on the same day.

(Vinod Kumar Sinha, J)

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