

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.4029 of 2019

Arising Out of PS. Case No.-25 Year-2019 Thana- MAHILA P.S. District- Siwan

BIJENDRA YADAV @ BIJENDRA KUMAR YADAV Son of Madan Ray
Resident of Village - Bal Bangra, P.S. - Daraunda, District - Siwan.

... .. Appellant/s

Versus

The State of Bihar Bihar

... .. Respondent/s

with

CRIMINAL APPEAL (SJ) No. 4034 of 2019

Arising Out of PS. Case No.-25 Year-2019 Thana- MAHILA P.S. District- Siwan

SURENDRA KUMAR YADAV Son of Jagarnath Rai Resident of Village-
Bal Bangra, P.S.- Daraunda, District- Siwan.

... .. Appellant/s

Versus

The State of Bihar Bihar

... .. Respondent/s

Appearance :

(In CRIMINAL APPEAL (SJ) No. 4029 of 2019)

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

For the Respondent/s : Ms. Usha Kumari 1

(In CRIMINAL APPEAL (SJ) No. 4034 of 2019)

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

For the Respondent/s : Ms. Usha Kumari 1

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

3 20-11-2019 Heard the learned counsel for the parties.

Both the appeals have been heard together and
are being disposed of by this common order.

The appellant in Cr. Appeal (SJ) No. 4029 of
2019 is Bijendra Yadav @ Bijendra Kumar Yadav who is



named in the FIR and has been shown as younger brother of Shailendra. The appellant in other appeal in Cr. Appeal (SJ) No. 4034 of 2019 is Surendra Kumar Yadav which is the alias name of Sachin Yadav who has been named in the FIR. Both the appeals are directed against the orders passed by the court below dated 24.06.2019 whereby the prayer made on behalf of the appellants for grant of bail in connection with Siwan Mahila P.S. Case No. 25 of 2019 for the offences under Sections 376(D) of the Indian Penal Code ; 3(i)(r)(w), 3(2)(va)(ii) of the SC/ST Act and 66(E), 67(A) of the I.T. Act has been rejected.

From the perusal of the FIR, it appears that the informant/victim/prosecutrix was having an affair with one Shubham Yadav and on one occasion when she was spotted along with her friend, her friend was caught hold of by the appellants and others and brought to a desolate place. It has been alleged that there one of the accused persons committed rape on the prosecutrix and



the act of rape was filmed. The appellants were present at the time of the occurrence.

Considering the aforesaid nature of the accusation against the appellants, I am not inclined to interfere with the order impugned.

The appeals stand dismissed.

(Ashutosh Kumar, J)

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