

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.3643 of 2019**

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

Vakil Yadav, Son of Sree Ram Yadav, Resident of Village- Bal Bangra, P.S.-
Daraunda, District- Siwan.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Yogesh Chandra Verma, Advocate
For the Respondent/s : Mr. Sadanand Paswan, APP

**CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER**

9 09-07-2020 Heard learned counsel for the appellant and learned
counsel for the State, through Virtual Court proceeding.

In the present appeal, the appellant is seeking bail in connection with Siwan Mahila P.S. Case No. 25 of 2019, registered for the offence punishable under Sections 376 (D) of the Indian Penal Code, Section 3 (I) (r) (w), 3 (2) (va) (ii) of the SC/ST Act and Section 66 (E), 67 (A) of the I.T. Act.

It has been alleged that the victim girl has love affair with one Subham Kumar, who is cousin. On 26.04.2019 at about 7.30 P.M., Subham called the victim and she went near a half built house located in 'Chawar' where he committed rape upon her. When she along with Subham was coming, in the midway, Bhagat Yadav, Manoj Yadav caught both of them and took them to 'Chwar' where Bhagat Yadav called Sachin Yadav, Vakil



Yadav, Awadhesh Yadav and Shailendra Yadav. Thereafter, Bhagat Yadav raped her and rest had caught the victim's hand and leg and they prepared obscene video and threatened that if she would go to the police station then whole family would be destroyed.

Counsel for the appellant submits that there is no allegation against the appellant to have committed rape upon the victim. There is general and omnibus allegation against the appellant. He is in judicial custody since 30.04.2019.

Looking to the entire facts and circumstances of the case, this Court is not inclined to grant bail to the appellant for the present.

Accordingly, the prayer for bail is rejected for the present.

This appeal is dismissed.

(Shivaji Pandey, J)

V.K.Pandey/-

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