

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.4921 of 2019

Arising Out of PS. Case No.-95 Year-2019 Thana- ISHAKCHAK District- Bhagalpur

Kaila Yadav, Son of Chhattu Yadav @ Chhatu Yadav, R/O Mohalla -
Ishakchak, Shyamal Das Lane, Near Arjun Mistan, P.S.- Ishakchak,
Bhagalpur

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Ashutosh Kumar
For the Respondent/s : Mr. Usha Kumari 1

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 06-01-2020 This appeal has been filed against the order dated 14.10.2019 passed by the learned Additional Sessions Judge-I-cum-Special Judge, POCSO Act, Bhagalpur in connection with Ishakchak P. S. Case No. 95 of 2019, disclosing offences under Sections 341, 342, 354(A), 354B, 506, 509, 34 of the Indian Penal Code and Section 08 of POCSO Act and Section 3(i)(r)(s) of the SC/ST (Prevention of Atrocities) Act.

As per F.I.R. there is allegation against the appellant that he along with other accused persons taken the informant on a hut and there is also allegation of outrage her modesty.

Submission of the learned counsel for the appellant is that the whole allegation is false and concocted. The place of occurrence is station but the case has been lodged at Ishakchak.

Heard learned Special P.P. also, who has opposed the



prayer for anticipatory bail on the ground that the F.I.R. itself shows the prima facie allegation against the appellant, as such, he does not deserve anticipatory bail.

Having heard both sides, considering the above submissions, made above, I am not inclined to grant privilege of anticipatory bail to the appellant. As such, this appeal is dismissed with liberty to the appellant to surrender and pray for regular bail, the same shall be considered on its own merit.

(Vinod Kumar Sinha, J)

Sunil Shukla/-

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