

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.5768 of 2019

Arising Out of PS. Case No.-226 Year-2019 Thana- KONCH District- Gaya

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1. Mithilesh Yadav @ Mithlesh Kumar, Son of Sri Ram Yadav, Resident of Village- Amba, P.S.- Konch, District- Gaya.
 2. Mukesh Yadav @ Mukesh Kumar, Son of Rajeshwar Yadav, Resident of Village-Amba, P.S.-Konch, District-Gaya.
 3. Manoj Yadav @ Manoj Kumar, Son of Raghunandan Yadav, Resident of Village-Amba, P.S.-Konch, District-Gaya.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

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

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 06-01-2020 This appeal has been filed against the order dated 21.11.2019 passed by the learned Special Judge (POCSO) Act, Gaya for grant of anticipatory bail in connection with Konch P. S. Case No. 226 of 2019 disclosing offences under Sections 321, 323, 427, 354, 504, 34 of IPC and Sections 8/12 of POCSO Act and Section 5(i) (r) (s) w (i) of the SC/ST Act.

As per F.I.R. while the informant and her daughter has gone to take water from the hand pump, the appellant came and dragged her daughter in order to outrage her modesty.

Submission of the learned counsel for the appellant is that no case is made out under Section 3(i) (r) (s) w (i) of the



SC/ST Act. The dispute is with regard to ploughing of the land.

Heard learned Special P.P. who opposed the prayer for anticipatory bail on the ground that there is specific allegation against the appellant.

Having heard both sides, considering the above submission, made above, I am not inclined to grant anticipatory bail to the appellant. As such, this appeal is disposed of with a direction to the appellant to surrender and pray for regular bail, which will be considered on its own merit, without being prejudiced by order of this Court.

(Vinod Kumar Sinha, J)

Sunil Shukla/-

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