

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.576 of 2020

Arising Out of PS. Case No.-78 Year-2019 Thana- JAIPUR District- Banka

CONGRESS YADAV Son of Late Dhapar Yadav Resident of Village -
Narayanpur, P.S.- Jaipur, District - Banka.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Brij Nandad Prasad, Adv.

For the Respondent/s : Mrs.Usha Kumari 1, Spl. P.P.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

3 04-03-2021 Heard both sides.

The appellant filed this appeal under Section 14(A) (2) of the S.C./S.T. Act against the order dated 10.01.2020 passed by learned Additional Sessions Judge I-cum-Special Judge(SC/ST), Banka by which the anticipatory bail of the appellant has been rejected in Jaipur P.S. Case No.78 of 2019 registered under Sections 341, 323, 379, 354B and 34 of the Indian Penal Code and under Sections 3 and 4 of the S.C./S.T. Act.

The informant alleged that the cow of Congress Yadav(the appellant) grazed her crops and when she went there to complain, Congress Yadav, Bhawish Yadav and others abused and assaulted her. Bhawish Yadav is said to have dragged her inside the house with threat to commit rape with her but the



informant managed to flee away.

The learned counsel for the appellant submits that appellant is alleged to have only assaulted the informant. No occurrence as alleged by the informant took place and the appellant has falsely been implicated in the case but it appears that besides the informant, other witnesses have also reiterated the facts that when the informant went to the house of the appellant to complain about grazing of field by the cow of the appellant, the appellant and others abused and assaulted the informant.

Taking into consideration the facts aforesaid, I am not inclined to enlarge the appellant on anticipatory bail. Accordingly, the appeal is dismissed.

(Prabhat Kumar Jha, J)

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