

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.606 of 2020

Arising Out of PS. Case No.-283 Year-2019 Thana- DEHRI TOWN District- Rohtas

Ayush Kumar @ Ayush Ranjan, (Male), aged about 20 years, Son of Rajendra Kumar @ Rajendra Prajapati, Resident of Village Niranjana Bigaha, P.S. Dehri (Town), District Rohtas (Sasaram).

... .. Appellant/s

Versus

The State of Bihar.

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Chhote Lal Mishra
For the Respondent/s : Mr.Usha Kumari 1

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

3 05-03-2021 Heard Mr. Chhote Lal Mishra, the learned counsel for the appellant and the learned Special P.P.

The appellant filed this appeal under Section 14A(2) of the SC/ST Act against the order dated 26.11.2019, passed by learned 1st Additional District & Sessions Judge, Sasaram, Rohtas in ABP No.106 of 2019 by which the learned Special Judge rejected the anticipatory bail petition of the appellant in Dehri (T) P.S. Case No.283 of 2019, registered under Sections 341, 323, 354, 504, 506 and 34 of the Indian Penal Code and under Section 3(i)R(s)(w) of the SC/ST Act.

The informant alleged that his daughter after having passed 12th examination was going to attend computer class. The institute is situated near *Matri Bhandar*. Ayush Kumar, son of Rajendra Prajapati of his Mohalla used to stalk his daughter and he



also sent threatening message on his mobile. The informant took print out of the messages sent by Ayush Kumar. Whenever his daughter came out from the house to go to the coaching class, Ayush trolled her and one day while she was waiting for auto rickshaw, Ayush, the appellant, asked her to allow him to sit in the same auto rickshaw. He also eve teased her. Vinayak, the brother of the informant went to persuade Ayush not to tease the daughter of the informant. The father of Ayush assaulted him with wood stick.

Learned counsel for the appellant submits that the injuries found on the person of Vinayak is simple in nature. Rajendra Kumar @ Rajendra Prajapati, the father of the appellant and Abhishek Ranjan @ Piyush Kumar, the brother of the appellant have already been enlarged on anticipatory bail vide order dated 18.12.2020, passed in Criminal Appeal (SJ) No.173 of 2020. The case of the appellant stands on better footing.

The learned Special P.P. opposed the prayer for anticipatory bail.

Having considered the submissions and on perusal of the records, it appears that it was the appellant who was always stalking and eve teasing the daughter of the informant and when the brother of the informant went to persuade, the appellant, father and brother of the appellant, namely, Rajendra Prajapati and



Abhishek Ranjan @ Piyush Kumar assaulted the brother of the informant but the main allegation of stalking the girl is against the appellant.

Taking into consideration the facts aforesaid, I do not find the case fit for grant of anticipatory bail. Accordingly, the prayer for anticipatory bail of the appellant is rejected.

Consequently, the appeal is dismissed.

(Prabhat Kumar Jha, J)

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