

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.986 of 2020

Arising Out of PS. Case No.-9 Year-2014 Thana- SIMRA District- West Champaran

1. GHURA YADAV Son of Raksha Yadav Resident of Village - Pratappur, P.S.- Semara, District- West Champaran
2. Mukesh Yadav Son of Ghura Yadav Resident of Village - Pratappur, P.S.- Semara, District- West Champaran
3. Kundan Yadav Son of Ghura Yadav Resident of Village - Pratappur, P.S.- Semara, District- West Champaran

... .. Appellant/s

Versus

THE STATE OF BIHAR

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr.Ashok Kumar Gupta
For the Respondent/s	:	Mr.Anil Prasad Singh

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 12-02-2021 Heard learned counsel for the appellants and learned
APP for the State.

The matter relates to grant of anticipatory bail to the appellants in connection with a case registered for the offences under Sections 341, 354, 447, 504, 506 of the Indian Penal Code and Sections 3(i)(x) of the SC/ST (Prevention of Atrocities) Act, 1989.

The prosecution case, in short is that the appellants caught the informant by hand and dragged her into field and misbehaved with her and they also abused her.

It has been submitted on behalf of the appellants that



the appellants have got no criminal antecedent and there is no allegation of tampering of witnesses alleged against the appellants. The appellants have falsely been implicated in the present case. A petition has been filed by the informant in the court below in which she has retracted from her earlier statement made in the F.I.R. The said petition made by the informant is Annexure 2 to the present appeal. The alleged occurrence has not taken place within public view. Hence no offence under the SC/ST Act is attracted in the present case.

On behalf of the State, it is submitted that the appellants are named in the F.I.R.

In view of the aforesaid facts and circumstances, the order dated 01.02.2020, passed by the learned 1st Additional Sessions Judge-cum-Special Judge, West Champaran, Bettiah vide A.B.P. No.2917 of 2019 in connection with Semara P.S. case No.09 of 2014 (Trial No.418 of 2018), is set aside. The criminal appeal is allowed.

Accordingly, the appellants, above named, in the event of arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned 1st



Additional Sessions Judge-cum-Special Judge, West
Champaran, Bettiah in connection with Semara P.S. case No.09
of 2014 (Trial No.418 of 2018).

(Sudhir Singh, J)

Narendra/-

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