

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.2976 of 2021

Arising Out of PS. Case No.-214 Year-2020 Thana- SALIMPUR District- Patna

SINTU YADAV, Son of Yogi Yadav, Resident of Village Dih Manjhauli, P.S. Salimpur, District Patna.

... .. Appellant/s

Versus

The State of Bihar.

... .. Respondent/s

Appearance :

For the Appellant : Mr. Prabhat Kumar Singh, Advocate
For the Respondent : Mr. Binay Krishna, Special P.P.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 29-10-2021 Heard learned counsel for the appellant and learned Special P.P. for the State.

The appellant has filed this appeal, under Sections 374 (2) and 389(1) Cr.P.C., against the order dated 02.03.2021, passed by learned Additional District & Sessions Judge-III-cum-Special Judge, SC/ST, Patna in Special Case No.343 of 2020, arising out of Salimpur P.S. Case No.214 of 2020, registered for the offences punishable under Sections 341, 323, 504 and 354(B) of the Indian Penal Code as well as under Sections 3(1)(r)(s)(w)/3(2)(va) of the SC/ST Act.

Allegation against the appellant is that he entered into the house of the informant on 08.08.2020 at 10.30 pm and tried to outrage her modesty. He has also torn the clothes of the informant and fled away.

Learned counsel for the appellant submits that the



appellant is innocent and has falsely been implicated in the present case. No case is made out under Section 354(B) of the Indian Penal Code as well as under Sections 3(1)(r)(s)(w)/3(2)(va) of the SC/ST Act. The appellant is in custody since 11.01.2021 and charge sheet has been submitted in this case against the appellant.

Learned Special P.P. for the State opposed the prayer for bail of the appellant and submits that there is specific allegation against the appellant that after entering into the house of the informant, the appellant tried to outrage her modesty and torn the blouse of the informant. When her mother-in-law came to save her, the appellant assaulted both of them and fled away. It is further submitted by learned Special P.P. that there is sufficient evidence in the case diary against the appellant.

Considering the facts aforesaid, I am not inclined to enlarge the appellant on bail. Accordingly, the prayer for bail of the appellant is rejected.

However, the appellant may renew his prayer for bail after framing of charge.

The appeal is dismissed.

(Anjani Kumar Sharan, J.)

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