

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL APPEAL (SJ) No.2022 of 2020**

Arising Out of PS. Case No.-198 Year-2020 Thana- SIKARPUR District- West Champaran

RAGHAV YADAV @ RAGHO YADAV S/o Sury Yadav R/o village-  
Vikrampur, Ward No. 5 (Barai Tola, Rajpur), P.S.- Shikarpur, District- West  
Champaran

... .. Appellant/s

Versus

THE STATE OF BIHAR

... .. Respondent/s

**Appearance :**

For the Appellant/s : Mr.Parwej Khan  
For the Respondent/s : Mr. APP

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH**  
**ORAL ORDER**

2      27-01-2021                      Heard learned counsel for the appellant and learned  
Special P.P. for the State.

The present appeal has been filed against the order dated 17.08.2020 passed by learned 1<sup>st</sup> Additional District and Sessions Judge -cum- Special Judge (SC/ST) West Champaran at Bettiah in connection with Shikarpur P.S. Case No. 198/2020 registered for the offences punishable under Sections 341/323/376/511/504/34 of the Indian Penal Code and Sections 3(i)(r)(s) of the Scheduled Caste and Scheduled Tribe (Prevention of Atrocities) Act, whereby the prayer for anticipatory bail of appellants was rejected.

As per the prosecution case, while the informant was alone in her house, co-accused, namely, Satendra Yadav entered into her house and tried to outrage her modesty. It is further



alleged that after some time all the accused persons including this appellant came with *Lathi*, *Danda* and iron-rod assaulted and abused the informant by caste name and co-accused Satendra Yadav assaulted her with iron-rod as a result of which she sustained injury and became senseless.

It is submitted on behalf of the appellant that thrust of allegation is against co-accused Satendra Yadav and so far as this appellant is concerned, there is no specific allegation against him. It is further submitted that the appellant has been falsely implicated in this case only because he is brother of the co-accused Satendra Yadav. Appellant has got clean antecedent.

Considering the aforesaid facts and circumstances as well as nature of allegation, the impugned order dated 17.08.2020 passed by learned 1<sup>st</sup> Additional District and Sessions Judge -cum- Special Judge (SC/ST) West Champaran at Bettiah in connection with Shikarpur P.S. Case No. 198/2020 is set aside and appeal is allowed.

Accordingly, let the appellant, above named, in the event of arrest or surrender within a period of eight weeks from the date of receipt/production of a copy of this order, be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of



learned 1<sup>st</sup> Additional District and Sessions Judge -cum- Special  
Judge (SC/ST), West Champaran at Bettiah in connection with  
Shikarpur P.S. Case No. 198/2020.

**(Prabhat Kumar Singh, J)**

Saif/-

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