

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.2138 of 2020

Arising Out of PS. Case No.-70 Year-2019 Thana- MAHILA PS District- Darbhanga

MAHESH YADAV, Male, aged about 47 years, son of Sitaram Yadav,
Resident of Village- Phulwan, P.S.- Manigachhi, District- Darbhanga.

... .. Appellant

Versus

The State of Bihar

... .. Respondent

Appearance :

For the Appellant/s : Mr. Girish Chandra Jha, Advocate
For the Respondent/s : Mr. Usha Kumar-I, Spl. P.P.

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

2 24-02-2021 Heard learned counsel for the appellant and learned
Spl.P.P. for the State.

This is an appeal under Section 14-A(2) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 (hereinafter referred to as the “S.C./ST Act”) against the order dated 02.03.2020 passed by the learned 1st Additional Sessions Judge-cum-Special Judge, Darbhanga, in connection with Mahila P.S. Case No. 70 of 2019, registered for the offence under Sections 354 and 354(A) of the Indian Penal Code, under Sections 3(2)(v) of the SC/ST (POA) Act and under Sections 8 and 12 of the POCSO Act, by which the Court below has rejected the prayer for anticipatory bail of the appellant.

Serious allegation has been made against the



appellant to have tried to commit rape upon a minor girl. When she raised alarm, her parents came and on seeing them, the appellant fled away. It has also been alleged that the victim-girl belongs to scheduled caste community.

Looking to the nature of allegation, this Court is not inclined to grant bail to the appellant. Accordingly, this appeal stands dismissed.

(Shivaji Pandey, J)

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