

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.3522 of 2021

Arising Out of PS. Case No.-83 Year-2021 Thana- SAHEBPUR KAMAL District- Begusarai
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1. SHAMBHU YADAV @ SAMBHU YADAV Son of Asheshwar Yadav @ Teli Yadav @ Tali Yadav
2. Kinodi Yadav Son of Asheshwar Yadav @ Teli Yadav @ Tali Yadav
3. Jito Yadav @ Jitendra Kumar Son of Asheshwar Yadav @ Teli Yadav @ Tali Yadav
All residents of Village- Baburahi, Ward No.03, P.S.- Sahebpur Kamal, District- Begusarai.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

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Appearance :

For the Appellant/s : Mr. Sandip Kumar Gautam, Adv.
For the Respondent/s : Mr. Sadanand Paswan, Spl. P.P.

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 13-09-2021 Heard learned counsel for the parties through video conferencing.

The instant appeal has been preferred against the order dated 6.7.2021 passed by the learned Special Judge, S.C./S.T. Act, Begusarai whereby the prayer for bail of the appellants in connection with a case registered under section 354B and other sections of the Indian Penal Code and section 3(1)(r)(s) and 3(2)(va) of the S.C. and S.T. Act was rejected.

As per the prosecution case, it is stated by the informant that accused Binodi Yadav misbehaved with the



informant and tried to commit rape on her. It is stated that on the next date about 9 a.m., the accused persons including the three appellants herein along with their brother Binodi Yadav came, abused and threatened the informant of dire consequences in case she lodged a case.

It is submitted by learned counsel for the appellants that the allegations as levelled in the F.I.R. are false and concocted. The main allegation is against accused Binodi Yadav. In spite of the main occurrence having taken place on 10.4.2021 at about 10 a.m. and the distance to the police station being 2 km, there is no explanation of delay in reporting the matter to the police which was reported for the first time at 10.35 p.m. on 11.4.2021. The appellants are in custody since 6.7.2021 and have no criminal antecedent. Chargesheet has been submitted in the case.

Heard learned Special P.P. appearing for the State.

Having heard learned counsel for the parties and taking into consideration the submission of chargesheet, the order impugned dated 6.7.2021 is set aside and the appellants are directed to be enlarged on bail in connection with Sahebpur Kamal P.S. Case no.83 of 2021 on each of them furnishing bail bond of Rs.10,000/ (Rupees Ten Thousand) with two sureties of



the like amount each to the satisfaction of the learned Special Judge, Schedule Caste and Schedule Tribe (Prevention of Atrocities) Act, Begusarai.

(Partha Sarthy, J)

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