

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.4344 of 2019**

Arising Out of PS. Case No.-245 Year-2016 Thana- BELAGANJ District- Gaya

TENI SINGH, Son of Japat Singh, Resident of Village Bhindaspur, P.S. Belaganj, District Gaya.

... .. Appellant/s

Versus

The State of Bihar.

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Shivendra Prasad
For the Respondent/s : Mr.Usha Kumari 1

**CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER**

5 15-11-2021 Heard learned counsel for the appellant and learned Special Public Prosecutor 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 SC/ST Act') against the refusal of prayer of anticipatory bail vide order dated 20.07.2019, passed by learned Exclusive Special Judge, SC/ST Act, Gaya in connection with Belaganj P.S. Case No.245 of 2016, registered under Sections 341, 342, 323, 376 and 511 of the Indian Penal Code and Sections 3(1), (s), (w), (1) of the SC/ST Act.

The prosecution case, in brief, is that on 04.09.2016 the daughter of the informant was fishing at the pine by the side of middle school, Bhindaspur along with three other children. In the meantime, the appellant reached there and took away the daughter of the informant towards forest and tried to rape her. On halla raised by the daughter of the informant, he left the daughter of the informant and fled away.



Learned counsel for the appellant submits that the appellant is innocent and have falsely been implicated in the present case. The brother of the victim is a ward councilor and the appellant had protested in the said election and due to protest in election, this false case has been lodged.

Learned Special P.P. opposed the prayer for anticipatory bail of the appellant and submitted that according to the FIR, there is specific allegation against the appellant. It is also submitted that the victim is a minor girl.

Having considered the facts aforesaid, I am not inclined to enlarge the appellant on anticipatory bail. The prayer for anticipatory bail of the appellant is rejected.

The appeal is dismissed.

However, the appellant is directed to surrender before the court below within a period of four weeks from the date of receipt of this order and the learned court below shall pass the order on its own merit without being prejudiced by this order.

(Anjani Kumar Sharan, J.)

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