

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.5157 of 2023

Arising Out of PS. Case No.-279 Year-2022 Thana- DUMRAO District- Buxar

RAHUL YADAV @ RAHUL KUMAR SON OF KRISHNA AWATAR
YADAV R/O VILLAGE- NAWA DERA (NONIYA DERA), P.S.- NAYA
BHOJPUR- O.P., DIST.- BUXAR

... .. Appellant/s

Versus

1. The State of Bihar PATNA
2. INDAL GOND SON OF PREMLAL GOND R/O VILLAGE- NAWA
DERA (NONIYA DERA), P.S.- NAYA BHOJPUR O.P., DIST.- BUXAR

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr. Ravi Shankar Pathak, Advocate
For the Respondent/s	:	Mr. Sadanand Paswan, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 11-07-2024 Heard learned counsel for the parties.

2. This appeal has been filed for setting aside order dated 17.10.2023 , passed in a case registered for the offence punishable under sections 366 and 34 of the Indian Penal Code and sections 3(i)(r)(s)/3(2)(v)(a) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, whereby the prayer for anticipatory bail of the appellant has been rejected.

3 . As per the prosecution case, all the F.I.R., named accused persons including this appellant enticed and elapsed with daughter of the informant for the purpose of marriage . The victim in her statement recorded under Section 164 Cr. P . C has denied the prosecution case and has categorically stated that she



is in love with this appellant and out of her sweet will she solemnized marriage with the appellant. The Court below has assessed her age about 19 years. Appellant claims clean antecedent.

4. Considering the statement of the victim recorded under section 164 Cr. P C and other circumstances of the case , this appeal is allowed and the impugned order is set aside. Let the appellant, named above, in the event of arrest/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) with two sureties of the like amount each to the satisfaction of the learned ADJ – Ist cum Special Judge, SC/St (POA) Act, Buxar in connection with Dumraon (Naya Bhojpur O P) Police Station Case No. 279 of 2022 .

(Prabhat Kumar Singh, J)

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