
(2022) 03 RAJ CK 0007
In the Rajasthan High Court
Case No : S.B. Criminal Appeal No. 22 Of 2022

Om Prakash	Vs	APPELLANT
State Of Rajasthan And Others		RESPONDENT

Date of Decision : 03-03-2022

Acts Referred:

Scheduled Caste And Scheduled Tribe (Prevention Of Atrocities) Act, 1989 — Section 3(1)(w)(i), 3(2)(Va), 14A(2)
Indian Penal Code, 1860 — Section 376, 457
Code Of Criminal Procedure, 1973 — Section 439

Citation : (2022) 03 RAJ CK 0007

Hon'ble Judges : Manoj Kumar Garg, J

Bench : Single Bench

Advocate : Sunil Bishnoi, Anita Gehlot, Shreekant Verma

Final Decision : Dismissed

Judgement

Manoj Kumar Garg, J

The instant appeal has been filed under Section 14A (2) Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act on behalf of the appellant, who is in custody in connection with FIR No.129/2021, Police Station Jasrasar, Distt. Bikaner for the offences under Sections 457, 376 of IPC and Sections 3(1)(w)(i), 3(2)(Va) of SC/ST (Prevention of Atrocities) Act., against the order dated 21.12.2021 passed by the learned Special Judge SC/ST (Prevention of Atrocities) Cases & Additional Sessions Judge, Bikaner in Criminal Misc. Bail Application No.CIS 2395/2021 whereby, the bail application preferred on behalf of the appellant under Section 439 Cr.P.C. was rejected.

Heard learned counsel for the appellant as well as learned Public Prosecutor and learned counsel counsel for the respondent No.2-Complainant. Perused the material available on record.

The prosecutrix has levelled specific allegation against the present petitioner. No

case for grant of bail is made out.

Accordingly, the criminal appeal preferred by the appellant is dismissed. However, the appellant is at liberty to file a fresh appeal after recording the statement of the prosecutrix. The trial court is directed to record the statement of the prosecutrix as early as possible.