

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.981 of 2016

Arising Out of PS.Case No. -82 Year- 2015 Thana -CHARPOKHARI District- BHOJPUR

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1. Binay Yadav Son of Late Ram Layak Yadav resident of village -
Karnaut Chandi, Police Station Charpokhari in the district of
Bhojpur

.... Appellant/s

Versus

1. The State of Bihar

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Sunil Kumar

For the Respondent/s : Mr. Sri Sadanand Paswan

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI

SHARAN SINGH

ORAL ORDER

2 05-12-2016 Heard the parties.

The appellant is aggrieved by an order, dated
04.04.2016 passed by learned Additional Sessions Judge-1st,
-cum- Special Judge, SC/ST Act, Ara, whereby he has
rejected the appellant's application for grant of regular bail.

The present appeal has been preferred under Section
14 of the Scheduled Castes and Scheduled Tribes (Prevention
of Atrocities) Act. The appellant is an accused of Charpokhari
P.S. Case No. 82 of 2015, registered for offences punishable
under Sections 147, 148, 149, 341, 324 and 307 of the
Indian Penal Code, Section 27 of the Arms Act and Section
3(i)(x) of Scheduled Castes and Scheduled tribes Act.

It transpires from the records that the appellant had
earlier approached this Court for grant of regular bail by filing
an application registered as Criminal Miscellaneous No.
48229 of 2015, which was dismissed by an order, dated



01.12.2015. All, what has been argued on behalf of the appellant in the present appeal have been taken into account by this Court by the said order, dated 01.12.2015

Submission on behalf of the appellant is that the appellant has remained in judicial custody since 25.03.2015, his case for regular bail deserves to be considered. He has also referred to certain orders passed by this Court, whereby other co-accused persons have been granted regular bail.

Considering the fact that the appellant's application was earlier rejected by this Court, I do not find any illegality in the impugned order passed by learned Additional Sessions Judge-1st-cum-Special Court, SC/ST Act, whereby the appellant's prayer for regular bail has been rejected. However, in the facts and circumstances of the case, it is directed that the Court below must expedite the Trial and if the Trial is not concluded within a period of six months from the communication of the present order, the appellant shall be at liberty to renew his prayer for bail before the Court below.

With the observation as above, this appeal is dismissed.

(Chakradhari Sharan Singh, J)

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