

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.910 of 2016

Arising Out of PS.Case No. -148 Year- 2013 Thana -GHORASAHAN District-
EASTCHAMPARAN(MOTIHARI)

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1. Matar Rai S/o Shambhu Rai resident of Village- Baraka Pakahi, P.S.-
Lakhaura (Ghodasahan), District- East Champaran.

..... Appellant/s

Versus

1. The State of Bihar

..... Respondent/s

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Appearance :

For the Appellant/s : Mr. Bhaskar Shankar
For the Respondent/s : Mr. Sri Sadanand Paswan

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER

2 09-11-2016 This appeal has been preferred under Section 14A of the

Scheduled Castes and Scheduled Tribes (Prevention of Atrocities)

Act, 1989. The appellant is aggrieved by an order, dated
12.07.2016 passed by learned First Additional Sessions Judge,
East Champaran at Motihari, whereby the appellant's application
for regular bail in connection with Ghodasahan P. S. Case No. 148
of 2013 has been rejected.

The First Information Report has been registered for the
offences punishable under Sections 302, 147,148,149,120B of the
Indian Penal Code, Section 27 of the Arms Act and Sections 3(1)
(x) of the Scheduled Castes and Scheduled Tribes (Prevention of
Atrocities) Act, 1989 wherein the appellant has been named.

Learned Senior Counsel for the appellant has submitted that the learned court below has rejected the appellant's prayer for regular bail despite there being no specific allegation against him in the First Information Report nor any materials suggesting specific overt act collected in course of investigation.

The submission, which has been made on behalf of the appellant could have been valid for grant of bail had there been no criminal antecedent against the appellant. I find that the appellant is accused in at least seven cases.

I am, therefore, not inclined to interfere with the impugned order.

This application is, accordingly, rejected.

Learned Senior Counsel for the appellant has submitted that the appellant is in custody since 30.01.2016.

Considering the above submission, it is directed that if till date, the charge has not been framed; the same must be expedited on careful scrutiny of the materials on record. If the charge has already been framed, the Court below shall make all endeavour to expedite the trial.

(Chakradhari Sharan Singh, J)

ArunKumar/-c

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