

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Appeal (SJ) No.935 of 2016

Arising Out of PS.Case No. -225 Year- 2015 Thana -LAXMIPUR District- JAMUI

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1. Lua Yadav Son of Late Raghu Yadav, resident of Village- Govindpur, P.S.- Jhajha, District- Jamui.

.... Appellant/s

Versus

1. The State of Bihar

.... Respondent/s

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Appearance :

For the Appellant/s : Mr.

For the Respondent/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR

SRIVASTAVA

ORAL JUDGMENT

Date: 16-01-2017

Heard learned counsel for the appellant as well as learned Special P.P. for the State and learned counsel for the informant.

2. This criminal appeal, filed under section 14A (2) of the SC/ST (Prevention of Atrocities) Amendment Act, is preferred against the order dated 29.01.2016 passed by the learned Additional Sessions Judge 1st (Special Judge), Jamui in B.A. No. 23 of 2016 by which the prayer of the appellant for regular bail in connection with Laxmipur (Gidhaur) P.S. Case No.225 of 2015 registered under sections 302/34 of the Indian Penal Code and 3(i)(x) SC/ST Act was rejected.

3. The appellant is not named in the first information report but in course of investigation, when call details of mobile of the deceased was taken out, it came to light that a new SIM was being



used in the mobile of the deceased by the appellant. Subsequently, one Gujari Devi was arrested and she disclosed that the appellant and some others were involved in committing the murder of the deceased and, after that, on the basis of discloser made by Gujari Devi, the mobile of the deceased was recovered from possession of the appellant. The aforesaid mobile was shown to the mother of the deceased, who identified the said mobile.

4. Considering the aforesaid facts as well as submissions of the parties, I do not think it proper to interfere with the impugned order. Accordingly, this Criminal Appeal stands dismissed and the impugned order of the learned court below is hereby confirmed.

5. However, the learned trial court should expedite the trial of the appellant and try to conclude the same as early as possible.

(Hemant Kumar Srivastava, J)

N.K/-

AFR/NAFR	NAFR
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