

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.506 of 2017

Arising Out of PS.Case No. -23 Year- 2000 Thana -DEOKUND District- AURANGABAD

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Vinod Kumar @ Vinod Sharma, son of Nagendra Kumar, resident of
village-Senari, P.S.-Karpi, District-Arwal.

.... Appellant/s

Versus

The State of Bihar

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Anand Mohan Prasad Mehta

For the Respondent/s : Mr. Sri Sadanand Paswan

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

7 22-06-2017

The appellant seeks regular bail in connection with Deokund (Uphara) P.S. Case No.23 of 2000 registered for the offences punishable under Sections 147, 148, 149, 341, 324, 307 and 302 of the Indian Penal Code, Section 27 of the Arms Act , Section 17 of the C.L.A. Act, Section 3/4 of the Explosive Substances Act and Section 3(2) (v) of the SC/ST (Prevention of Atrocities) Act, 1989.

Appellant is named in the FIR. Case is under Section 302 and other Sections of the IPC as well as u/s SC & ST Act and there is allegation of mass murder by the accused persons including the appellant.

It has been submitted on behalf of the appellant that the appellant has been named in the case without parentage and he was not sure about his involvement. However, he was moved before the District Judge for anticipatory bail which was rejected,



but a direction was given to the Superintendent of Police to enquire into the matter with regard to verification of the submissions made on behalf of the appellant as such he has not appeared earlier. It has also been submitted that the case of other accused has already been separated and trial has concluded leading to conviction of those accused persons and on appeal the other accused persons have been acquitted by this Court and the case of the appellant is similar to them as parentage of the appellant is not mentioned in the case.

Heard learned Special P.P. also. He submits that in this case in the year 2009 itself the charge-sheet has been submitted, but the appellant has waited for eight years and there is allegation of mass murder.

Having heard both sides, in view of the facts and circumstances as stated above, I am not inclined to grant bail to the appellant. However, considering the fact that the case is quite old, learned trial court is directed to expedite the matter as expeditiously as possible. At the same time, the S.P., Aurangabad is also directed to ensure attendance of the witnesses in the court.

With this observation, this appeal is dismissed.

Arvind/-

(Vinod Kumar Sinha, J)

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