

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.3468 of 2017

Arising Out of PS.Case No. -105 Year- 2017 Thana -GAYA MUFFSIL District- GAYA

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1. Jitendra Kumar @ Jitendra Kumar Yadav @ Jitendra Yadav, Son of
Late Chandrika Yadav, Resident of Village- Gaura, P.S.- Mufasil,
District- Gaya.

.... Appellant/s

Versus

1. The State of Bihar.

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Kiran Sinha, Advocate

For the Respondent/s : Smt Usha Kumari No-1, SPP

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

4 01-02-2018

Heard learned counsel for the parties.

This is an appeal under Section 14(A) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 against the refusal of prayer for bail by the learned Special Judge (S.C./S.T. Act), Gaya, in connection with Muffasil Police Station Case No.105 of 2017 registered under Sections 325/307/302 of the Indian Penal Code and Section 3(2)(v)(a)/3(2)(v)(b)/3(2)(va) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

A boy of the family of the informant had induced a girl of the family of the appellant's side. For that reason the appellant and others bitterly assaulted to the parents of the informant causing their instant death. Other eyewitnesses have



also supported the allegation before the police. The medical report is consistent with the prosecution allegation.

Learned counsel for the appellant submits that there is no specific allegation against the appellant. The allegation of commission of assault with lathi, fists and slaps. Therefore, no intention to commit murder can be gathered on the basis of the allegation leveled against the appellant.

Considering the entire facts aforesaid, I am not inclined to enlarge the appellant on bail. Hence, the prayer for bail is refused. The learned trial Court is directed to expedite the trial and conclude the same within nine months, failing which the appellant would be at liberty to renew the prayer for bail before the trial judge itself, who shall pass a reasoned order.

Accordingly, the appeal stands rejected.

(Birendra Kumar, J)

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