

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.3608 of 2017

Arising Out of PS.Case No. -387 Year- 2017 Thana -MUFFASIL District-
WESTCHAMPARAN(BETTIAH)

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Neyaj Mian @ Guddu Son of Mustakim Mian, Resident of Village-
Gurwaliya Kachari Tola, Police Station-Bettiah Muffasil (Manuapul) O.P.,
District-West Champaran.

.... Appellant

Versus

The State of Bihar

.... Respondent

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Appearance :

For the Appellant/s : Mr. Sanjay Kumar No.-7, Adv.

For the Respondent/s : Mr. Binay Krishna, SPP.

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

3 02-02-2018

Heard learned counsel for the parties.

This is an appeal under Section 14(A)(2) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 against the refusal of prayer for bail by the learned 1st Additional District and Sessions Judge-cum-Special Judge, Bettiah West Champaran, in connection with Bettiah Muffasil (Manuapul) Police Station Case No.387 of 2017 registered under Sections 302,201,120B of the Indian Penal Code and Section 3(II)(V) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

According to FIR, the appellant and co-accused took the husband of the informant on a motorcycle and subsequently dead body of the husband of informant was found, which revealed that murder has been committed.



The appellant confessed before the police that he had committed the murder. The appellant further disclosed to the police that after commission of murder, when the appellant was crossing a village with bloodstained cloths, the villagers chased. Thereafter, the appellant left his motorcycle and wrapper and fled away. The motorcycle and wrapper was seized by the police.

Submission of the learned counsel for the appellant is that the appellant is in custody since 15.09.2017. There is no eye witness of the occurrence. Only very weak circumstances are there against the appellant.

In the bail petition, the appellant has not denied the factum of confession before the police.

Considering the entire material aforesaid, I am not inclined to enlarge the appellant on bail. Prayer is refused. Learned Trial Court is directed to expedite the trial and conclude the same within nine months.

Accordingly, the appeal stands dismissed.

(Birendra Kumar, J)

Nitesh/-

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