

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Appeal (SJ) No.1377 of 2018

Arising Out of PS.Case No. -217 Year- 2017 Thana -SAHPUR District- BHOJPUR

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1. Rameshwar Rai @ Rameshwar Ray, S/o Late Jhulan Rai, R/o Village- Ram Dathi, P.S.- Shahpur, District- Bhojpur.

.... Appellant/s

Versus

1. The State of Bihar.

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Ravindra Kumar, Adv

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

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR

ORAL JUDGMENT

Date: 06-07-2018

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 order dated 21.03.2018 by the learned Additional District and Sessions Judge-1st, Bhojpur at Ara, in connection with Sahpur (Karnamepur) Police Station Case No.217 of 2017 registered under Sections 341,324,307,506,120B/34 of the Indian Penal Code, later on Section 302 of the Indian Penal Code has been added, Section 27 of the Arms Act and Section 3(1)(r)/3(2)(v)(a) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

Three persons including the appellant fired at



Rajendra Tatwa, brother of the informant on 07.09.2017. Besides, the informant, who supported the occurrence as eye witness. The victim has also supported the allegation before the police. The Doctor, who initially noticed the injuries, has recorded that three firearm wounds were found at the vital part of the body, mainly at the stomach of the injured. During course of treatment, injured died after 55 days of occurrence and according to opinion of the Doctor, septicemia was reason for cardiac failure. The appellant is in custody since 20.01.2018.

Considering the nature of allegation against the appellant, I am not inclined to enlarge the appellant on bail for the present.

Hence, prayer for bail is refused.

The appellant may renew prayer for bail after completion of one year of custody, if the trial is not concluded in the meantime.

The learned trial court is directed to expedite the trial.

Accordingly, this appeal stands dismissed.

(Birendra Kumar, J)

Nitesh/-

AFR/NAFR	NAFR
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