

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.1568 of 2018

Arising Out of PS.Case No. -1 Year- 2015 Thana -BIND District- NALANDA (BIHARSHARIFF)

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Jatan Yadav

.... Appellant/s

Versus

The State of Bihar

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Md. Harun Quareshi

For the Respondent/s : Mr. Binay Krishna

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

05 11.07.2018 Heard learned counsel for the appellant as well as
learned Addl. Public Prosecutor for the State.

This appeal has been preferred under section 14A(2) of the Scheduled Castes/ Scheduled Tribes (Prevention of Atrocities) Act, 1989 against order dated 12.4.2018 passed by the Ist Addl. Sessions Judge-cum-Special Judge, Nalanda at Biharsharif in Sessions trial no. 139/2016 arising out of Bind P.S. case no. 01/2015 by which and whereunder he refused to release the appellant on bail.

The contention on behalf of the appellant is that one co-accused Pramod Yadav against whom there is allegation that he, too, fired on the deceased, has already been granted privilege of bail by a coordinate bench of this



court vide order dated 13.3.2018 passed in Cr. Appeal (SJ) no. 3412/2017 which is evident from perusal of annexure 6 to the petition.

No doubt, co-accused Pramod Yadav has been granted privilege of bail by a coordinate bench of this court but taking note of this fact that appellant is said to have fired from his rifle which hit on the chest of the deceased and, therefore, I do not feel it proper to extend the privilege of bail to the appellant and accordingly, his prayer for bail stands rejected and in the aforesaid manner, this appeal stands disposed of.

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

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(Hemant Kumar Srivastava,J)

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