

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.3375 of 2017

Arising Out of PS.Case No. -68 Year- 2017 Thana -LODIPUR District- BHAGALPUR

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1. Aako Yadav,
2. Bhudeo Yadav, Both S/o Late Mannu Yadav,
3. Izhar Yadav @ Niranjana Yadav, S/o Aako Yadav, all are resident of
Village- Baghmara, P.S.- Lodipur, District- Bhagalpur.

.... Appellants

Versus

The State of Bihar.

.... Respondent

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with

Criminal Appeal (SJ) No.3392 of 2017

Arising Out of PS.Case No. -68 Year- 2017 Thana -LODIPUR District- BHAGALPUR

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1. Hira Yadav
2. Jitendra Yadav@ Zeero Yadav Both Sons of Kailash Yadav
3. Manish Yadav , Son of Bideshi Yadav.
All Resident of Village-Baghmara, P.S.-Lodipur, District-Bhagalpur.

.... Appellants

Versus

The State of Bihar.

.... Respondent

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Appearance :

(In CR. APP (SJ) No.3375 of 2017)

For the Appellant/s : Mr. Pramod Kumar Singh, Adv.

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

(In CR. APP (SJ) No.3392 of 2017)

For the Appellant/s : Mr. Pramod Kumar Singh, Adv.

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

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

3 29-01-2018 Heard learned counsel for the parties in both the

appeals.

These are appeals 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 Additional Sessions Judge II-cum-Special Judge, Bhagalpur , in connection with Lodipur Police Station Case No.68 of 2017 registered under Sections 302 and 201 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 informant saw, in the light of Torch, that eight persons including the appellants were assaulting to his brother Ram Ashish Ram and dragging him. Subsequently, dead body of Ram Ashish Ram was found. The son of the deceased was also there. The Doctor has found multiple injury and cause of death is mugging. Other eye witnesses have also supported the allegation before the police.

Learned counsel for the appellants submits that the appellants are in custody since July 2017. The allegation is general and omnibus. In fact, there is no eye witness of the occurrence and after recovery of dead body, false allegation, due to enmity, is there.

Considering the materials on the record, I am not inclined to enlarge the appellants on bail for the present. Hence, prayer is refused. The learned Trial Court is directed to expedite the trial and conclude the same, without allowing any unnecessary



adjournments, within nine months, failing which the appellants shall be at liberty to renew their prayer for bail.

Accordingly, both the appeals stand dismissed.

(Birendra Kumar, J)

Nitesh/-

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