

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.3409 of 2017

Arising Out of PS.Case No. -53 Year- 2016 Thana -EKCHARI District- BHAGALPUR

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1. Krishna Kumar Sharma @ Mandal @ Krishna Mandal, Son of Chhote Lal Sharma, Residents of Village - Rani Diyara, Police Station - Ekchari, District - Bhagalpur.

.... Appellant/s

Versus

1. The State of Bihar.

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Syed Masleh-Uddin Ashraf

For the Respondent/s : Mr. Sadanand Paswan

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

3 15-02-2018

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 (hereinafter referred to as the “SC/ST Act”) against the refusal of prayer for regular bail by the learned 2nd Additional Sessions Judge-cum-Special Judge (S.C./S.T.), Bhagalpur in Ekchari P.S. Case No. 53 of 2016 registered under Sections 363, 365, 376(D), 328 of the Indian Penal Code as well as Section 3(i)(xi) of the SC/ST Act.

Allegation against the appellant and two others is that they committed gang rape against the informant and they removed the daughter of the informant aged about two years. Subsequently, murder of the daughter of the informant was committed and the appellant and others confessed before the



police that they had committed the murder.

Submission of the learned counsel for the appellant is that there is no medical corroboration of the allegation of commission of rape against the appellant. Appellant has got no criminal antecedent and he is in custody since 26.12.2016.

Considering the nature of allegation, I am not inclined to enlarge the appellant on bail. Hence, prayer for bail is refused.

Learned trial court is directed to expedite and conclude the trial preferably within a period of nine months from the date of receipt/production of a copy of this order without allowing any unnecessary adjournment to anyone.

(Birendra Kumar, J)

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