

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Appeal (SJ) No.1894 of 2018

Arising Out of PS.Case No. -220 Year- 2017 Thana -HAJIPUR District- VAISHALI(HAJIPUR)

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Dinesh Mahto son of Dasrath Mahto, R/o. Village- Rambhadra, P.S. Hazipur Town,
District- Vaishali

.... Appellant/s

Versus

The State of Bihar

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Nachiketa Jha, Advocate

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

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR

ORAL JUDGMENT

Date: 30-07-2018

Heard learned counsel for the parties.

This is an appeal under Section 14(A) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 against the refusal of prayer for bail vide order dated 08.05.2018 passed by the learned Additional Sessions Judge 1st -cum-Special Judge, Vaishali at Hajipur, in connection with Hajipur Town Police Station Case No.220 of 2017, registered under Sections 376/498A/506/34 of the Indian Penal Code and Section 3(i)(x) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

Allegation in the FIR is that the appellant and co-accused allegedly committed rape against the informant. The informant has supported the aforesaid allegation in her statement



recorded under Section 164 Cr.P.C.

Submission of the learned counsel for the appellant is that there is delay of four days in lodging the FIR. The allegation is not supported by medical evidence. The appellant is in custody since 04.02.2018. The appellant has got no criminal antecedent.

Considering the nature of allegation, I am not inclined to enlarge the appellant on bail. Hence, the prayer for bail is refused. The learned trial Court is directed to expedite the trial and conclude the same within nine months, failing which the appellant would be at liberty to renew the prayer for bail before the trial judge itself, who shall pass a reasoned order.

Accordingly, the appeal stands dismissed.

(Birendra Kumar, J)

Mkr./-

AFR/NAFR	NAFR
CAV DATE	NA
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