

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1319 of 2019**

Arising Out of PS. Case No.-76 Year-2015 Thana- FATEHPUR District- Gaya

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Ranjeet Yadav @ Ranjit Yadav @ Karu Yadav @ Karu S/o Late Dhaneshwar
Yadav @ Dhanesar Yadav R/o village- Morbe, P.S.- Fatehpur, District- Gaya

... .. Appellant

Versus

The State of Bihar

... .. Respondent

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Appearance :

For the Appellant/s : Mr.Dhirendra Kumar Sinha
For the Respondent/s : Mr.Sadanand Paswan

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**CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA**

ORAL ORDER

4 28-08-2019 Heard the parties.

This criminal appeal has been preferred under Section 14 A (2) of S.C./S.T. (Prevention of Atrocities) Act against the order dated 13.02.2019 passed by learned Special Judge, S.C./S.T., Gaya in Fatehpur P.S. Case No. 76 of 2015 by which and whereunder he refused to grant bail to appellant.

Learned counsel appearing for the appellant submits that the appellant is cooling his heels behind the bar since 24.03.2015 but in spite of specific direction to the trial court as well as Superintendent of Police, Gaya, the trial of the appellant could not be concluded and the impugned order goes to show that five prosecution witnesses including investigating officer are yet to be examined and to procure the attendance of above



stated witnesses, steps have already been taken.

Perusal of first information report goes to show that appellant happens to be main assailant and there is specific allegation against him that he shot fire on the deceased. The trial of the appellant is still pending for recording the evidence of five prosecution witnesses and, therefore, in the aforesaid circumstance, I do not feel it proper to release the appellant on bail and accordingly, his prayer for bail stands rejected.

However, the trial court is directed to conclude the trial of the appellant within six months from the date of receipt/production of copy of this order.

However, Senior Superintendent of Police, Gaya is directed to look into the matter personally and ensure the presence of remaining prosecution witnesses of Fatehpur P.S. Case No. 76 of 2015 before the court of Special Judge, S.C./S.T., Gaya within a period of three months from the date of receipt/production of copy of this order. Any failure on the part of Senior Superintendent of Police, Gaya shall be viewed seriously.

It is made clear that if the trial of the appellant is not concluded within above stated period of six months, the appellant may renew his prayer for bail before the learned trial



court itself.

Let a copy of this order be sent to Senior Superintendent of Police, Gaya for needful.

In the aforesaid manner, this criminal appeal stands disposed of.

(Hemant Kumar Srivastava, J)

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