

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1637 of 2019

Arising Out of PS. Case No.-407 Year-2016 Thana- SIKARPUR District- West Champaran

Himali Mahto @ Harendra Kishore Son of Fagu Mahto, Resident of village-
Ranha Suryapur, Police Station- Shrinagar Pujahan, District- West
Champaran.

... .. Appellant/s

Versus

The State Of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Brij Kishor Mishra, Advocate
For the Respondent/s : Mrs. Usha Kumari No.1, SPP

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL JUDGMENT

Date : 19-06-2019

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 against the refusal of prayer for bail by the learned Special Judge (S.C./S.T. Act), West Champaran at Bettiah, in connection with Shikarpur Police Station Case No.407 of 2016, registered under Sections 4/6 of the Protection of Children From Sexual Offences Act and Section 3(2)(x) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

Allegation against the appellant is that he ravished to the informant, a girl aged about 14 years.

On merit the prayer for bail was refused on 31.01.2018 vide Annexure-1/1 with direction to the learned



trial Judge to expedite the trial and conclude the same preferably within nine months.

The report of the learned trial Judge would reveal that only three witnesses are yet to be examined including doctor and I.O.

The Superintendent of Police, West Champaran at Bettiah, is directed to ensure production of those witnesses before the learned Additional Sessions Judge I-cum-Special Judge, Bettiah, West Champaran, in the trial, arising out of Shikarpur P.S. Case No.407 of 2016. The Superintendent of Police shall also ensure that the trial should not be hampered due to non-production of the aforesaid prosecution witnesses.

Let the trial be concluded within six months. In the event of non-conclusion of trial within the aforesaid period the appellant would be at liberty to renew the prayer for bail before the trial judge itself.

With the aforesaid observation, this appeal stands dismissed.

(Birendra Kumar, J)

Mkr./-

AFR/NAFR	NA
CAV DATE	NA
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