

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1626 of 2019**

Arising Out of PS. Case No.-347 Year-2018 Thana- WAJIRGANJ District- Gaya

Rawat Manjhi Son of Ram Balak Manjhi Resident of Village - Kanma, P.S.-
Tankuppa, Distt.- Gaya.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Ajay Kumar Sinha
For the Respondent/s : Mr. Usha Kumari 1

**CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL**

ORAL ORDER

3 24-06-2019 Heard learned counsel for the appellant and learned
Spl. PP for the State.

This is an appeal under Section 14(A)(2) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act against the refusal of prayer for bail vide order dated 04.02.2019 passed by learned Exclusive Special Judge- SC/ST, Gaya in Wazirganj P.S. Case No. 347 of 2018 registered under Sections 302, 201/34 of the Indian Penal Code and Section 3(2)(v) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.

Appellant along with three other accused persons are said to have taken the brother of the informant, namely, Rambilash Chaudhary to the forest and neck slit dead body of



the deceased was found in the forest on the following day.

It is submitted by learned counsel for the appellant that no such occurrence as alleged ever took place. There is no eye witness of the occurrence. Allegation levelled against the appellant is not specific rather general and omnibus in nature. Appellant has been falsely implicated in this case due to dirty village politics. No incriminating article has been recovered from conscious physical possession of the appellant. Appellant has been languishing in custody since 08.10.2018.

Per contra, learned Spl. PP for the State opposing the bail prayer of the appellant submitted that wife of the appellant has seen the appellant proceeding to the forest along with the deceased on the date of occurrence and dead body of the deceased was found in the forest on the following day of the occurrence. He further submitted that as per the FIR, appellant along with other accused persons including Krishna Yadav has eliminated the deceased as on the tip-off the deceased, illicit liquor was recovered from their possession.

In the facts and circumstances of the case, I am not inclined to enlarge the appellant on bail. Accordingly, his prayer is rejected.

However, learned court below is directed to



conclude the trial as expeditiously as possible preferably within six months of framing charge and S.P. Gaya is directed to ensure production of the witnesses in the case on each and every date fixed without fail.

Let a copy of this order be communicated to S.P. Gaya by fax for needful.

Accordingly, this appeal is dismissed.

(Prakash Chandra Jaiswal, J)

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