

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.2360 of 2019**

Arising Out of PS. Case No.-36 Year-2018 Thana- MAHILA P.S. District- Nawada

NIRANJAN @ KARU SINGH Son of Birendra Singh Resident of Village -
Shekhodebra, P.S.- Kawakole, District- Nawada

... .. Appellant.

Versus

The State of Bihar.

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Bhavesh Kumar
For the Respondent/s : Mrs. Usha Kumari 1

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

ORAL ORDER

3 06-08-2019 Heard learned counsel for the appellant and
learned Special Public Prosecutor for the State.

This is an appeal under Section 14(A)(2) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 (hereinafter in short referred to as the 'SC/ST Act') against the refusal of prayer for bail vide order dated 20.02.2019 passed by learned 1st Additional Sessions Judge cum Special Judge, Nawada in connection with Mahila Nawada P.S. Case No.36 of 2018 registered under Sections 376 (I) & 506 of the Indian Penal Code, Section 4 of the POCSO Act and Section 3(2) (va) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.

Appellant is said to have committed rape against



the minor daughter of the informant aged about eight years when she had gone to the house of the uncle of the appellant to witness the television.

It is submitted by learned counsel for the appellant that no such occurrence as alleged ever took place. Appellant has been falsely implicated in the case due to dirty village politics and animosity. He has no concern with the aforesaid occurrence. There is an inordinate delay of 11 days in lodging the F.I.R. without assigning any plausible explanation for the same. Appellant has no criminal antecedent and has been languishing in custody since 23.11.2018.

Per contra, learned Spl. PP for the State opposing the prayer for bail submitted that appellant has committed rape against eight years minor daughter of the informant and the impugned order indicates that several witnesses have supported the case and the medical report also corroborates the occurrence, hence he does not deserve bail.

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

However, the learned Trial Court is directed to conclude the trial as expeditiously as possible preferably within



nine months from the date of receipt/production of a copy of this order. Both the parties are expected to extend their co-operation in conclusion of the trial. The Superintendent of Police, Nawada 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 sent to the Superintendent of Police, Nawada for needful.

Accordingly, this appeal is dismissed.

(Prakash Chandra Jaiswal, J)

Trivedi/-

U		T	
---	--	---	--

