

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.2585 of 2019

Arising Out of PS. Case No.-449 Year-2018 Thana- ROSERA District- Samastipur

Bablu Sahni, S/o Sambhu Sahni, R/o Village- Chourghatiya Tole Rahua Ward
No. 12, P.S.- Rosera, District- Samastipur.

... .. Appellant/s

Versus

The State of Bihar.

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Sunil Kumar Tiwari

For the Respondent/s : Mr. Binay Krishna

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

ORAL ORDER

10 18-12-2019 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 15.02.2019 passed by learned Special Judge (SC/ST Act), Samastipur in connection with Rosera P.S. Case No.449 of 2018 registered under Sections 302, 201 and 34 of the Indian Penal Code and Section 3(1) (r) (s) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.

Appellant is said to have taken away the daughter of the informant from her house and later on committing her



murder dumped her dead body in the field.

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. There is no eye witness of the occurrence. Appellant has no criminal antecedent and has been languishing in custody since 16.01.2019.

Learned Spl. PP for the State opposing the prayer for bail submitted that the appellant taking the daughter of the informant from her house committed her murder and dumped the dead body in the field. The witnesses have supported the occurrence. It is further submitted that as per the report of the learned lower Court trial is likely to be concluded shortly as out of nine prosecution witnesses seven witnesses including I.O. and doctor have been examined and the learned lower Court vide its letter no.98/10 dated 02.12.2019 has anticipated two months time to conclude the trial, subject to cooperation by both the parties, hence the appellant 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 two months from the date of receipt/production of a copy of this order. Both the parties are expected to extend all sorts of co-operation in conclusion of the trial.

Accordingly, this appeal is dismissed.

(Prakash Chandra Jaiswal, J)

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