

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.4646 of 2018

Arising Out of PS. Case No.-23 Year-2000 Thana- DEOKUND District- Aurangabad

Vinod Kumar @ Vinod Sharma, Son of Nagendra Kumar Sharma @
Nagendra Sharma Resident of Village-Senari,P.S. Karpi,Distt.-Arwal
... .. Appellant/s

Versus

The State Of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Shivendra Prasad
For the Respondent/s : Mr.Sri Sadanand Paswan

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL JUDGMENT

Date : 31-01-2019

This is an appeal under Section 14A(2) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 against the refusal of prayer of bail dated 29.10.2018 passed by the learned 1st Addl. Sessions Judge, Aurangabad, in S.Tr. No. 157 of 2017 arising out of Deokund (Uphara) P.S.Case No. 23 of 2000 registered under Sections 147, 148, 149, 302, 307, 341 and 120B of the Indian penal Code , 27 of the Arms Act, 17 of the Criminal Law Amendment Act and 3(ii)(v) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 and 3 and 4 of the Explosive Substance Act.

Earlier prayer for bail of the appellant was twice rejected by this Court vide order dated 22.06.2017 and 14.03.2018 passed in Cr. Appeal (SJ) Nos. 506 of 2017 and 250 of 2018



respectively. The case is registered under Section 302 and other sections of the penal code as well as also under the sections of Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 alleging mass murder.

Submission of learned counsel for the appellant is that appellant is in custody since 12.07.2016 but up till now there is no progress in trial.

Heard learned Spl. P.P also.

Having heard both sides and in view of the facts and circumstances, as stated above, I am not inclined to grant bail to the appellant. However, trial court is directed to expedite the trial on regular basis and at the same time, Superintendent of Police, Aurangabad is directed to ensure presence of the witnesses on the date fixed so that that trial may be concluded as expeditiously as possible. If the record is not available, trial court shall call for the lower court record from the concerned court.

The appeal stands dismissed.

(Vinod Kumar Sinha, J)

sujit/-

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CAV DATE	
Uploading Date	
Transmission Date	

