

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.3153 of 2019

Arising Out of PS. Case No.-20 Year-2018 Thana- KHUSRUPUR District- Patna

Sanjeev Anand @ Bholu Singh Son of Vinod Kumar Singh Resident of
Village - Baikathpur (Rajput Tola), P.S.- Khusrupur, District - Patna.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Shiva Shankar Prasad Singh, Advocate
For the Respondent/s : Mrs.Usha Kumari 1, SPP

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

3 18-09-2019 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)-cum-Additional Sessions Judge-XIII, Patna, in connection with Khusrupur Police Station Case No.20 of 2018 registered under Section 302/34 of the Indian Penal Code, Section 27 of the Arms Act and Section 3(i) (r)/3(2)(v) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

The appellant is main assailant of the deceased. The informant is eyewitness of the occurrence. The appellant is in custody since 07.02.2018.



Earlier prayer for bail was refused on 11.09.2018 with direction to the learned trial Judge to expedite and conclude the trial preferably within nine months.

The report of the learned trial Judge dated 05.09.2019 reveals that amongst several accused each and every accused is filing petition for discharge after rejection of the prayer of one of the accused. On 26.06.2018 the appellant had filed petition for discharge which was rejected on 01.11.2018. Thereafter co-accused Doman Singh and Praduman Singh had filed a similar petition for discharge which was dismissed for non-prosecution on 03.09.2019 and the case was fixed for framing of charge on 05.09.2019. In the meantime, accused Vikash Kumar filed a petition praying therein that he is a juvenile and his claim be decided first and after declaring juvenile his case be sent to the Juvenile Justice Board.

Considering the nature of allegation against the appellant, I am not inclined to enlarge the appellant on bail. Hence, the prayer for bail is refused. The learned trial Court is directed to expedite the trial and conclude the same within nine months without allowing unnecessary adjournment in the case,



failing which the appellant would be at liberty to renew the prayer for bail before the trial judge itself, who shall pass a reasoned order.

Accordingly, the appeal stands rejected.

(Birendra Kumar, J)

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