

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.3553 of 2019

Arising Out of PS. Case No.-53 Year-2019 Thana- PRANPUR District- Katihar

MD. DABLU Son of Late Tufani Resident of Village - Marangi, Narayanpur,
P.S.- Mansahi, District - Katihar.

... .. Appellant/s

Versus

THE STATE OF BIHAR

... .. Respondent/s

Appearance :

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

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

ORAL ORDER

3 04-11-2019 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 23.07.2019 passed by learned 1st Additional Sessions Judge cum Special Judge, Katihar in connection with Pranpur P.S. Case No. 53 of 2019, G.R. No.1085 of 2019 registered under Sections 364/120B, 302, 201 of the Indian Penal Code and Section 3(ii) (va) of the Scheduled Castes and Scheduled



Tribes (Prevention of Atrocities) Act.

Appellant is said to have taken the father of the informant from his house along with Rs. 1,15,000/- for purchasing cattle and committed his murder in association of his accomplices taking his money.

It is submitted by learned counsel for the appellant that the appellant has no concern with the aforesaid occurrence. He has been falsely implicated in the case due to dirty village politics. He was only last seen with the deceased. None has seen the appellant committing the occurrence. There is delay of six days in lodging the F.I.R. He has no criminal antecedent and has been languishing in custody since 11.03.2019. Learned counsel for the appellant further submitted that the case has not yet been committed.

Per contra, learned Spl. PP for the State opposing the prayer for bail submitted that appellant has taken the father of the informant from his house with money for purchasing cattle and committed his murder snatching his money. Witnesses in para-18 and 19 of the case diary have stated about taking the deceased by the appellant along with money for purchasing cattle. Appellant has confessed his guilt and on his disclosure, dead body of the deceased was recovered, 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 six 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, Katihar 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, Katihar for needful.

Accordingly, this appeal is dismissed.

(Prakash Chandra Jaiswal, J)

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