

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.5603 of 2019

Arising Out of PS. Case No.-324 Year-2018 Thana- RIGA District- Sitamarhi

NARESH DAS Son of Ramhirday Das R/o Village- Sirahi, Mathawa, P.S.-
Riga, District – Sitamarhi. Appellant

Versus

The State of Bihar Respondent

Appearance :

For the Appellant/s : Mr.Ashok Kumar Jha, Advocate
For the Respondent/s : Mr.Sadanand Paswan, Spl. P.P.

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 19-12-2019 Heard learned counsel for the appellant and learned
Spl. P.P. for the State.

This appellant in this appeal is seeking to challenge the order dated 28.11.2019 passed by learned Special Judge (SC/ST Act), Sitamarhi in connection with Riga P.S. Case No. 324 of 2018 registered for the offences punishable under Sections 302, 120B, 201/34 of the Indian Penal code and Sections 3(ii), (v) of the SC/ST (Prevention of Atrocities) Act whereby his prayer for regular bail has been rejected.

Learned counsel for the appellant submits that there is no eye witness to the occurrence and the appellant has been implicated only on the basis of circumstantial evidence. The appellant has no criminal antecedent and is in custody since 15.10.2019.

Learned Spl. P.P. has opposed the prayer of bail of the



appellant.

Considering the facts and circumstances of the case wherein the appellant is named in the FIR as the person who has with the help of co-accused Laxman Sah murdered the son of the informant due to previous enmity and the appellant has surrendered only after process under Section 83 Cr.P.C. was exhausted against him and he has been in custody only since 15.10.2019, in the nature of the allegations, gravity of the offence and the conduct of the appellant, this Court is not inclined to grant him regular bail at this stage. Prayer for bail is thus, refused.

Let the trial be expedited.

(Rajeev Ranjan Prasad, J)

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