

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.5248 of 2019

Arising Out of PS. Case No.-62 Year-2019 Thana- KORANSARAI District- Buxar

MANTU DUBEY Son of Sanjay Dubey Resident of Village- Lahana, Police
Station - Koransarai, District - Buxar

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr. Rama Kant Sharma, Sr. Advocate Mr. Lakshmi Kant Sharma, Advocate
For the Respondent/s	:	Mr. Sadanand Paswan, Spl. P.P.

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL JUDGMENT

Date : 04-02-2020

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 (hereinafter referred to as the “SC/ST Act”) against the refusal of prayer for regular bail vide order dated 18.11.2019 in SC/ST 63 of 2019 arising out of Koransarai P.S. Case No. 62 of 2019 passed by the learned 1st Additional Sessions Judge-cum-Special Judge, Buxar in connection with the aforesaid case registered under Sections 302/34 of the Indian Penal Code, Section 27 of the Arms Act as well as Sections 3(1)(r)(s), 3(2)(v) of the SC/ST Act.

Appellant is one of the assailants of the deceased. The informant, who is cousin brother of the deceased, has supported the allegation as eyewitness of the occurrence. The wife of the



deceased, who had carried food at the field where deceased was working, has also supported the allegation against the appellant as eyewitness.

Learned counsel for the appellant submits that no other eyewitness has supported the allegation against the appellant. False and concocted case has been lodged after the dead body was found. For old dispute, false allegation is there.

Learned counsel for the informant opposed the prayer for bail.

Considering the direct allegation against the appellant which is corroborated by medical evidence, I am not inclined to enlarge the appellant on bail.

Hence, prayer for bail is refused.

Learned trial court is directed to expedite the trial.

(Birendra Kumar, J)

Kundan/-

AFR/NAFR	N.A.
CAV DATE	N.A.
Uploading Date	07.02.2020
Transmission Date	07.02.2020

