

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.2329 of 2021**

Arising Out of PS. Case No.-242 Year-2019 Thana- BIHARIGANJ District- Madhepura

Ajay Kumar, son of Late Yogi Sharma, Resident of Village - Parmanandpur,
Ward No.09, P.S.- Bihariganj, District - Madhepura.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Sharda Nand Mishra, Advocate

For the Respondent/s : Mr.Binay Krishna, Spl.P.P.

**CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER**

4 29-07-2021 Heard learned counsel for the appellant and the
learned Special P.P. for the State.

The appellant has preferred the present appeal under
Section 14(A) of the Scheduled Castes and Scheduled Tribes
(Prevention of Atrocities) Act, against the refusal of his prayer
for regular bail, vide order dated 08.01.2021 passed by the
learned Special Judge, Madhepura, in connection with SC/ST
Case No.154 of 2019 arising out of Bihariganj P.S. Case No.242
of 2019 instituted for the offence under Section 376 of the
Indian Penal Code and Sections 3(i)(r)(s) of the SC/ST Act and
also for setting aside the aforesaid order dated 08.01.2021.

The specific case against the appellant is entering the
house of the victim (informant) and committing rape.

Learned counsel for the appellant submits that for
more than two years, the appellant has remained in custody i.e.,



since 24.07.2019.

The learned Spl.P.P. has submitted that the appellant is accused of serious offence, which has been reiterated by the victim under Section 164 Cr.P.C. (Annexure 4 of the appeal). Report of the trial court indicates that it would make efforts to conclude the trial within nine months.

This Court for the present having considered the submissions and the report; and regard being had to the gravity of the allegations made against the appellant, is not inclined to allow the appellant's prayer for bail. The same is rejected.

The trial court, however, is directed to take all necessary steps to expedite conclusion of the trial without any undue adjournments or unnecessary delay.

In the result, the appeal is dismissed.

This Court would expect that the appellant's counsel would honour his undertaking in the instant proceedings regarding supply of the requisite court fee etc. within two weeks from the date he is called upon to do so by the office.

(Madhuresh Prasad, J)

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