

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.2809 of 2021**

Arising Out of PS. Case No.-113 Year-2019 Thana- SALAKHUA District- Saharsa

Dinesh Yadav, S/o Surya Narayan Yadav, R/o Village Parasbanni Dhobiya
Tola, Ward No. 11, P.S. Salkhua (Banma Itahari O.P.), District Saharsa.

... .. Appellant/s

Versus

The State of Bihar.

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Binod Kumar Sinha, Advocate
For the Respondent/s : Mr. Binay Krishna, Spl.P.P.

**CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER**

3 28-10-2021 Heard learned counsel for the appellant and learned
Special P.P. for the State.

The present appeal, under Section 14A(2) of the Scheduled Castes & Scheduled Tribes (Prevention of Atrocities) Act, 2016, is filed against the order dated 19.06.2020, passed by learned Additional Sessions Judge-3rd-cum-Special Judge, Saharsa in connection with Salkhua (Banma Itahari O.P.) P.S. Case No.113 of 2019, giving rise to Special Case No.97 of 2019, registered for the offences punishable under Sections 147, 148, 149, 307, 326, 302 and 120 of the Indian Penal Code, under Section 27 of the Arms Act as well as under Sections 3(2) (v)(a) of the SC/ST Act.

The allegation against the petitioner and other co-accused persons is of indiscriminate firing due to which Ritesh



Yadav died.

Learned counsel for the appellant submits that the appellant has falsely been implicated in the present case. The allegations are general and omnibus. The specific allegation is against co-accused, Ganesh Yadav. The appellant is in custody since 18.01.2020 and he has got three criminal antecedents as stated in paragraph 3 of the memo of appeal.

Learned Special P.P. for the State opposed the prayer for bail of the appellant and submits that there is sufficient material in the case diary to show the involvement of the appellant in the alleged offence.

Considering the facts aforesaid, I am not inclined to enlarge the appellant on bail. Accordingly, the prayer for bail of the appellant is rejected.

However, the trial court is directed to expedite the trial of the appellant.

This appeal is dismissed.

(Anjani Kumar Sharan, J.)

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