

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL APPEAL (SJ) No.3571 of 2021**

Arising Out of PS. Case No.-193 Year-2021 Thana- MASHRAK District- Saran

Krishna Nut, aged about 52 years, male, Son of Lotan Nut Resident of village and P.O.- Dumarsan Bangra (Nut Toli), P.S.- Mashrakh, District - Saran at Chapra.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

**Appearance :**

For the Appellant/s : Mr. Jeetendra Narayan, Adv.

For the Respondent/s : Ms. Usha Kumari 1, Spl PP

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

3      01-11-2021      Heard learned counsel for the appellant and learned Spl PP for the State.

Learned counsel for the appellant is expected to honour his undertaking given in the instant case for depositing the requisite court fee and to remove the defects as pointed out by office when called upon to do so by the office.

The appellant has preferred the present appeal under Section 14A(2) of Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 (for brevity, *SC/ ST Act*) against the refusal of his prayer for regular bail vide order dated 20.07.2021 passed by learned Additional District and Sessions Judge-1-cum-Spl Judge SC/ST (POA) Act, Saran at Chapra, in a case registered under Section 302/34 of the Indian Penal Code



and Section 3(2)(v) of the SC/ST Act, in connection with Mashrakh PS Case No. 193 of 2021.

The informant has alleged that the instant appellant along with eight other named co-accused indiscriminately assaulted his father (*Chaukidar*) whereafter he has been crushed by plying a pick up van over his father when he objected to illegal cattle smuggling.

The learned counsel for the appellant submits that actually it is a case of road accident which has been given the colour of murder. The submission is that informant is merely 18 years old and it is surprising as to how he has implicated the instant appellant in the present case.

The learned Spl. PP for the State has opposed the prayer for bail. It is submitted that the informant is witness to the occurrence and the postmortem report contains the injuries which sustain the allegations.

Having regard to the statement of the informant as an eye witness, the injury is corroborated as per submissions of the learned counsel for the appellant. This Court, for the present, is not inclined to allow the prayer.

Prayer for bail 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.

**(Madhuresh Prasad, J)**

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