

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.10 of 2021

Arising Out of PS. Case No.-509 Year-2017 Thana- BIHPUR District- Bhagalpur

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Aman Jha @ Aman Kr Jha S/o Arun Jha Resident of Village-Dayalpur, P.S.-
Bihpur, District-Bhagalpur.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

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Appearance :

For the Appellant/s : Mr. Apurva Kumar, Adv.

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

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

7 06-09-2021 Heard learned counsel for the parties through video conferencing.

The appellant has renewed his prayer for bail in connection with the case registered under section 302 and other sections of the Indian Penal Code, section 3(i)(ii)(va) of the SC and ST (Prevention of Atrocities) Act and section 4 of the POCSO Act, was rejected.

As per the prosecution case, the accused persons including the appellant are stated to have committed murder followed by the offences of rape etc.

It is submitted by learned counsel for the appellant that the earlier prayer for bail of the appellant was rejected vide order dated 26.7.2019 (Annexure-1) passed in Cr. Misc. (SJ) no.860 of 2019 directing the learned trial Court to conclude the



trial expeditiously, preferably within a period of 9 months. In spite of the said direction and a copy of the order being sent to the Superintendent of Police, Bhagalpur, there is no progress and no chance of the trial concluding in the near future. It is submitted that although eight prosecution witnesses have been examined, from the deposition of the witnesses brought on record by way of a supplementary affidavit, it would transpire that they have not supported the prosecution case. The appellant is in custody since 6.9.2018 i.e for 3 years.

The appeal is opposed by learned Spl.P.P. appearing for the State who submits that there is direct allegation against the appellant which has been supported by the prosecution case including P.W.2, Bindi Kumari, an eye witness to the occurrence as also daughter of the deceased.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case including the materials on record, the Court is not inclined to enlarge the appellant on bail and the appeal is rejected.

Learned trial Court is directed to expedite the trial.

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(Partha Sarthy, J)

