

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL APPEAL (SJ) No.257 of 2021**

Arising Out of PS. Case No.-37 Year-2020 Thana- MAHILA P.S. District- Kaimur (Bhabua)

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SHERU ANSARI S/o Faisal Ansari Resident of Village-Sheorampur, P.S.-
Chand, District-Kaimur, Bhabua.

... .. Appellant

Versus

The State of Bihar

... .. Respondent

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Appearance :

For the Appellant/s	:	Mr. Vinay Kumar Mishra, Advocate
For the Respondent/s	:	Ms. Usha Kumari, Spl. P.P.
For the Informant	:	Mr. Pawan Kumar Singh, Advocate

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

3 07-04-2021 Heard learned counsel for the appellant, Ms. Usha Kumari, Spl. P.P. for the State and learned counsel for the informant.

The appellant in the present case is seeking setting aside of the order dated 21.09.2020 passed in SC/ST Case No. 72 of 2020 arising out of Bhabua Mahila P.S. Case No. 37 of 2020 registered for the offence punishable under Sections 342, 323, 451, 376D, 379, 504, 506 and 34 of the Indian Penal Code and Sections 3(i)(w), /3(2)(va) of the SC/ST Act by learned 1st Additional Sessions Judge-cum- Special Judge (SC/ST Act), Kaimur at Bhabua whereby and whereunder the regular bail of the appellant has been rejected.

Learned counsel for the appellant submits that the



appellant is alleged to have committed rape with the informant with the help of co-accused.

Learned counsel for the appellant submits that the appellant is innocent and has falsely been implicated in this case due to local village politics. The appellant is in custody since 24.06.2020.

Learned Spl. P.P. for the State and learned counsel for the informant have opposed the prayer for bail of the appellant.

Having regard to the facts and circumstances of the case, the nature of allegations, the huge criminal antecedents of the appellant and that the prayer for bail of the co-accused Naushad has been rejected by a learned co-ordinate Bench of this Court and further that the trial has already begun, this Court is not inclined to enlarge the appellant on bail at this stage.

Let the trial court proceed with the trial on day to day basis and conclude the same preferably within a period of six months.

The Public Prosecutor in-charge of the case and the Superintendent of Police, Kaimur at Bhabua shall ensure that all the prosecution witnesses are produced on the date fixed in the matter.

If the trial remains unconcluded for no reason



attributable to the appellant, he may renew his prayer for bail.

This appeal stands disposed of.

(Rajeev Ranjan Prasad, J)

vats/-

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

