

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.177 of 2021

Arising Out of PS. Case No.-291 Year-2019 Thana- LAXMIPUR District- Jamui

RAJ KUMAR YADAV @ RAJKUMAR YADAV @ RAJ KUMAR S/o Ram
Yadav R/o Village- Kevali, P.S.- Laxmipur, Distt- Jamui.

... .. Appellant

Versus

1. THE STATE OF BIHAR
2. DAKHIYA DEVI W/o Sita Ram Tanti R/o Kenuhat, P.S.- Laxmipur, Distt-
Jamui

... .. Respondents

Appearance :

For the Appellant/s : Mr.Brajesh Sahay, Advocate
For the Respondent/s : Mr.Binay Krishna, Spl. P.P.

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 20-02-2021 Learned counsel for the appellant undertakes to
remove all the defects as pointed out by office within four
weeks after start of normal functioning of the Court.

Heard learned counsel for the appellant and learned
Spl. P.P. for the State.

The appellant, in the present case, is seeking setting
aside the order dated 18.09.2020 passed in SC/ST Case No.
203/2019 (arising out of (Jamui) Laxmipur P.S. Case No.
291/2019, G.R. No. 2197/2019) for the offence under Section
302, 120(B), 201 & 34 of the Indian Penal Code and 3(2)(v) of
the SC/ST (Prevention of Atrocities) Act, 1989 by which the
prayer for bail of the appellant has been rejected by learned
Additional District & Sessions Judge – 1 – cum – Special Judge,



SC/ST Act, Jamui.

As per the prosecution story, while the informant was at her house in the meantime her grand-daughter came and informed her that she saw the dead body of her younger uncle (deceased) in the farmland. On this information she along with others rushed to the place of occurrence and found the dead body of the deceased. She further stated that the deceased had gone with the appellant and others.

Learned counsel for the appellant submits that the appellant has no connection with the place of occurrence, he has been falsely implicated in this case.

Learned Spl.P.P. for the State has opposed the prayer for bail of the appellant.

Having regard to the facts and circumstances and the observations of the learned A.D.J. -1st, Jamui rejecting the prayer for bail of the appellant vide order dated 18.09.2020; since the trial of the case has already begun and some of the prosecution witnesses have been examined, this Court is not inclined to enlarge the appellant on bail at this stage.

Prayer for regular bail of the appellant is, thus, refused.

Let the trial be expedited.



The trial court is expected to conclude the trial within a period of six months from today.

The prosecution shall cooperate in producing the witnesses and the Superintendent of Police, Jamui shall ensure that all the official witnesses are produced on the date fixed in the matter and the summons /warrant, if any, issued against non-official witnesses be expedited without undue delay.

If the trial is yet not concluded within a period of six months, for no reason attributable to the appellant, the appellant may renew his prayer for bail.

This appeal stands disposed off.

(Rajeev Ranjan Prasad, J)

Rajeev/-

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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'.

