

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.3045 of 2019

Arising Out of PS. Case No.-5 Year-2018 Thana- MAHILA P.S. District- Nawada

SUNIL YADAV S/o Rajo Mahto R/o Village- Mokaupur, P.S.- Warisaliganj,
Distt.- Nawada

... .. Appellant

Versus

THE STATE OF BIHAR

... .. Respondent

Appearance :

For the Appellant/s : Mr.Birendra Kumar, Advocate
For the Respondent/s : Mr. Binay Krishna, Special P.P.

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

8 23-06-2021 Heard the parties in virtual Court proceeding.

This is an appeal under Section 14(A)(2) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 against the refusal of prayer for bail by order dated 07.06.2018 passed by the learned Additional Sessions Judge-1st-cum Special Judge (SC/ST Act), Nawada in connection with Spl. (P) Case No. 48/18 arising out of Mahila P.S. Case No. 05/18 registered under Sections 376(i) 506/34 of the I.P.C., Section 3(2)(va) of the SC/ST Act and Section 4 of POCSO Act.

Allegation against the appellant is that he ravished to the informant.

The report of the trial Judge at Flag-D would reveal that the case is running for defence evidence since 06.03.2020.



However, no defence evidence has been produced. Hence, the delay in the trial is due to laches on the part of the defence.

Considering the nature of allegation against the appellant, I am not inclined to enlarge the appellant on bail. Hence, prayer for bail is refused.

The learned trial court is directed to expedite the trial.

Accordingly, this appeal stands dismissed.

(Birendra Kumar, J)

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