

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.368 of 2020

Arising Out of PS. Case No.-60 Year-2018 Thana- MAHISHI District- Saharsa

Deepak Roy @ Deepak Kumar Roy, Son of Nand Kishor Roy, Resident of
Village Derhar, P.S. Nauhatta (Derhar O.P.), District Saharsa.

... .. Appellant/s

Versus

The State of Bihar.

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Chandra Mohan Jha
For the Respondent/s : Mr. Usha Kumari 1

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 17-01-2022 Heard learned counsel for the appellant and learned
Special P.P. for the State through virtual court proceedings.

This is an appeal under Section 14(A)(2) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 (hereinafter referred to as 'the SC/ST Act') against the refusal of prayer of bail vide order dated 24.10.2019, passed by learned Additional Sessions Judge, III, Saharsa cum Special Judge in connection with Mahishi P.S. Case No.60 of 2018, registered under Sections 376/34 of the Indian Penal Code and Section 3(w)(i)(G)(R) of the SC/ST Act.

By order dated 17.11.2021, a report was called for from the learned court below regarding stage of the trial.

From perusal of the report kept at Flag 'L', sent by learned Additional Sessions Judge-III-cum-Spl. Judge SC/ST



(POA) Act, Saharsa, it appears that statement of accused under Section 313 Cr.P.C. was recorded on 02.11.2021. It is further reported that now the case is fixed for defence evidence.

Taking into consideration the facts aforesaid, I am not inclined to enlarge the appellant on bail. Accordingly, the prayer for bail of the appellant is dismissed.

However, the learned court below is directed to conclude the trial within three months. If defence witnesses do not appear before the learned court below, the parties are directed to conclude their arguments so that the trial must be concluded within three months.

(Anjani Kumar Sharan, J.)

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