

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1457 of 2020

Arising Out of PS. Case No.-554 Year-2019 Thana- NAGAR District- Vaishali

Rakesh Das, S/o Bateshwar Das, Resident of Village Kaunhara Ghat, P.S. Hajipur Town, District Vaishali.

... .. Appellant/s

Versus

The State of Bihar.

... .. Respondent/s

Appearance :

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

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

6 13-01-2022 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 17.06.2020, passed by learned Sessions Judge 1st cum Special Judge, Vaishali at Hajipur in connection with Hajipur Town P.S. Case No.554 of 2019, registered under Sections 302/34 of the Indian Penal Code, Section 27 of the Arms Act as well as under Sections 3(i)(r)(s) of the SC/ST Act.

The appellant is said to have fired upon the brother of the informant resulting into his death.

Learned counsel for the appellant submits the



appellant is innocent and has falsely been implicated in the present case. There is no eye witness of the present occurrence. It is submitted that on *Hulla*, the informant came at the place of occurrence and brought his brother to Sadar Hospital, Hajipur where the doctor declared the brother of the informant dead. It is also submitted that the appellant has got no criminal antecedent as stated in para 3 of the memo of appeal.

Learned Special P.P. for the State opposes the prayer for bail of the appellant and submits that the appellant has fired upon the brother of the informant resulting into his death.

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 rejected.

However, learned trial court is directed to expedite the trial of the appellant.

(Anjani Kumar Sharan, J.)

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