

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1926 of 2022**

Arising Out of PS. Case No.-220 Year-2017 Thana- KUDRA District- Kaimur (Bhabua)

Uday Rai Son of Doman Ray Resident of Village - Saidabad, P.S. - Raghapur,
District - Vaishali.

... .. Appellant/s

Versus

1. The State Of Bihar
2. Mahesh Ram son of Ram Chandra Ram resident of village P.O.- Ughani,
P.S.- Chenari, District- Rohtas at present resident of Garwadih, P.S.- Kudra,
District- Kaimur

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr. J.P. Singh, Sr. Adv. with Mr. Mritunjay Prasad Singh, Adv. and Mr. Dipak Kumar, Adv.
For the Respondent/s	:	Mr. Usha Kumari 1, Spl.PP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL JUDGMENT
Date : 23-11-2022

Let the defect(s), if any, be removed within two weeks
from today.

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

The present appeal under Section 14(A)(2) of the
Scheduled Caste/Scheduled Tribe, Prevention of Atrocities Act,
(hereinafter referred to 'SC/ST Act') has been preferred against
the order dated 03.02.2022 passed by the learned Additional
District and Sessions Judge 1st-Cum-Special Judge, Kaimur at
Bhabhua in connection with Kudra P.S. Case No. 220 of 2017
lodged under Sections 302/34 of the I.P.C. read with Sections
3(2)(v)(a) of SC/ST Act.

Learned counsel for the appellant submits that this

case has been earlier rejected vide order dated 06.10.2021 passed in Cr. Appeal (S.J.) No. 2829 of 2021 on merit but as per knowledge of the appellant till date, charge has not been framed, in spite of the fact that in the rejection order, it was directed to the Trial Court to expedite the trial.

Learned counsel for the Spl.P.P. submits that in the report attached with the case diary, it transpires that 18.08.2022 was the date fixed for framing of charge whereas counsel for the appellant submits that as per his knowledge, charge could not be framed on the said date.

Speedy trial is the constitutional vision of justice.

Trial Court is directed to expedite the trial of the case and complete it within 9 months, in failure, the appellant shall be at liberty to move before the Court and the Court shall be directed to release him on bail, thereafter imposing conditions so that he may not evade his appearance during trial.

With this observation, the present appeal stands rejected.

(Dr. Anshuman, J.)

sadique/-

AFR/NAFR	
CAV DATE	
Uploading Date	
Transmission Date	