

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1388 of 2021**

Arising Out of PS. Case No.-263 Year-2018 Thana- BUNIYAD GANJ District- Gaya

Tinku Singh @ Chorwa Son of Ishwari Singh @ Iswari Singh Resident of
Village- Manpur Kumhar Toli, P.S.- Mufassil, District- Gaya.

... .. Appellant/s

Versus

THE STATE OF BIHAR

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr. P.K. Sahi, Sr. Adv Mr. Sharda Nand Mishra, Adv. Mr. Deepak Kumar, Adv.
For the Respondent/s	:	Mrs. Usha Kumari, Spl. PP
For the Informant	:	Mr. Nityanand, Adv.

**CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER**

4 31-03-2022 Heard learned counsel for the appellant, informant
and learned Special Public Prosecutor for the State.

Learned counsel for the appellant undertakes to remove
the defects within four weeks. In the eventuality of non-removal
of defects within undertaken period, office will place the matter
before the Bench.

This is an appeal under section 14A (2) of the Scheduled
Castes and Scheduled Tribes (Prevention of Atrocities) Act,
1989 (hereinafter in short referred to as the 'SC/ST Act') against
the refusal of prayer for bail vide order dated 21.10.2019 passed
by learned Special Judge (SC/ST Act), Gaya in connection with
Buniyadganj P.S. Case No.263 of 2018, registered under
sections 302/34 IPC, section 27 of the Arms Act and sections (2)



(v) of SC and ST Act.

Earlier, prayer for bail of the appellant was rejected vide order dated 04.02.2020 in Cr. APP (SJ) No. 4856 of 2019.

Learned counsel for the appellant submits that appellant is innocent and has been falsely implicated in this case. He submits that now charge has been framed against the appellant and no witness has been examined at present. He further submits that the appellant is languishing in custody since 30.01.2019.

Learned Spl. PP for the State and informant oppose the prayer for bail.

Considering the fact that the appellant is the main assailant, I am not inclined to enlarge the appellant on bail. Accordingly, his prayer for bail is rejected in connection with Buniyadganj P.S. Case No.263 of 2018.

Accordingly, this appeal is dismissed. However, the trial court is directed to conclude the trial within nine months. If trial is not concluded within the stipulated period, appellant is at liberty to renew his prayer for bail thereafter.

(Anjani Kumar Sharan, J)

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