

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.2463 of 2022**

Arising Out of PS. Case No.-193 Year-2019 Thana- AMAS District- Gaya

Uday Verma @ Uday Kumar Verma Son of late Jagdish Bhagat Resident of
Village - Bharaundha, P.S.- Gurua, Distt.- Gaya.

... .. Appellant/s

Versus

THE STATE OF BIHAR

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Sanjay Sinha, Advocate

For the Respondent/s : Mr.Sadanand Paswan, Spl.P.P.

**CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER**

2 02-11-2022 Heard the learned counsel for the appellant and the
learned Spl.P.P. for the State.

The present appeal is directed against the order dated 16.06.2022, passed by the learned court of Exclusive Special Judge, SC/ ST Gaya, arising out of Amas PS case no. 193 of 2019, registered under Section 302 and other allied sections of Indian Penal Code and Section 3(2)(v) of the SC/ ST Act, whereby and whereunder the learned court below has rejected the prayer of the appellant for grant of bail.

It would not be out of place to mention here that this Court, by a detailed and well-considered order dated 29.06.2020, passed in Cr. Appeal (SJ) no. 1211 of 2020 had rejected the prayer of the appellant for grant of bail.

The case of the prosecution in brief is that the husband of the informant had gone to the house of the appellant



on 16.10.2019 and on the next day i.e. on 17.10.2019, the husband of the informant is stated to have gone with the appellant to Amas Bazar, PS-Hamzapur on his motorcycle. It is further alleged that on 17.10.2019 at 2 O' clock in the afternoon, the appellant informed the informant that his husband had gone somewhere from that place and the appellant had returned to his house on a tempo. Subsequently, search was made for the husband of the informant, however, he could not be traced.

The learned counsel for the appellant has submitted that appellant is languishing in custody since 20.10.2019 and there is no substantial progress in the trial, hence the appellant be granted the privilege of bail.

Per contra, the learned counsel appearing for the respondent State has vehemently opposed the prayer for bail and has submitted that this Court by an order dated 29.06.2020, passed in Cr. Appeal (SJ) no. 1211 of 2020, has considered the entire aspect of the matter in detail and only thereafter, this Court had come to a finding that the complicity of the appellant herein is writ large in the alleged crime.

I have heard the learned counsel for the appellant and gone through the materials on record as also the earlier order passed by this Court dated 29.06.2020, from which it is apparent



that this Court had passed a detailed and an exhaustive order, after threadbare analysis of the materials on record as also upon perusal of the case diary, wherein this Court had come to the conclusion that the complicity of the appellant herein, in the alleged crime, is writ large from the records, hence the said appeal was dismissed. Moreover, this Court finds that there is no change in circumstance from the day, the prayer of the appellant for grant of bail was rejected earlier vide order dated 29.06.2020, till date, hence there is no occasion to re-consider the prayer of the appellant for grant of bail, thus the present petition stands dismissed. The trial court is directed to expedite the trial.

(Mohit Kumar Shah, J)

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