

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.3798 of 2021

Arising Out of PS. Case No.-113 Year-2021 Thana- RAJPUR District- Buxar

Shiv Baran Ram, Son of Kallu Prasad Ram, R/o Village Chhabu Kapura, P.S. Sharia, District Kaushambi , Uttar Pradesh.

... .. Appellant/s

Versus

The State of Bihar.

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Pravashankar Mishra
For the Respondent/s : Mr. Binay Krishna

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 04.08.2021, passed by learned Additional Session Judge 1st cum Special Judge (SC/ST), Buxar in connection with Rajpur P.S. Case No.113 of 2021, registered under Sections 120(B), 302, 364, 201 of the Indian Penal Code and 3(2)(V) of the SC/ST Act.

Learned counsel for the appellant submits that the appellant is innocent and has falsely been implicated in the present case. It is further submitted that the FIR is lodged against unknown. No specific overt act is alleged against the



appellant. It is further submitted that the appellant has been made accused in this case on the basis of his confessional statement. The appellant has got no criminal antecedent as stated in para 3 of the memo of appeal. The appellant is in custody since 15.06.2021.

Learned Special P.P. for the State opposes the prayer for bail of the appellant by submitting that on the basis of CDR and mobile location, the appellant has been made accused in the present case. On the basis of statement of the appellant, knife and mobile have been recovered.

Having considered the facts aforesaid, I am not inclined to enlarge the appellant on bail. Accordingly, the prayer for bail of the appellant is rejected.

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

(Anjani Kumar Sharan, J.)

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