

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.3925 of 2021**

Arising Out of PS. Case No.-218 Year-2018 Thana- NAGAR District- Vaishali

PRINCE KUMAR S/o Nand Kishore Singh R/o village- Husena Khurd, P.S.-
Goraul, District- Vaishali

... .. Appellant/s

Versus

THE STATE OF BIHAR

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Sunil Kumar Pathak, Adv.
For the Respondent/s : Mr.Usha Kumari 1, Spl.P.P.

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

4 18-01-2022 Heard learned counsel for the appellant and learned
Special Public Prosecutor for the State through virtual mode.

This is an appeal under section 14(A)(2) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, (hereinafter in short referred to as the 'SC/ST Act') against the refusal of prayer for bail vide order dated 23.08.2019, passed by learned 1st Additional Sessions Judge -cum- Special Judge (SC/ST Act), Vaishali at Hajipur, in connection with Hajipur Town P.S. Case No.218 of 2018, registered under sections 302, 353, 224 and 120-B/34 of the IPC and section 27 of the Arms Act read with sections 3(2), 3(2)(va), SC and ST (Prevention of Atrocities) Act.

Vide order dated 29.09.2021, a report was called for, regarding the stage of trial. In compliance thereof, a report sent



by learned 1st Additional District and Sessions Judge-cum-Special Judge, SC/ST Act, Vaishali, dated 09.10.2021, is kept at flag 'K', whereby it is submitted that no prosecution witness has been presented by the prosecution due to surge of Covid 19 pandemic and the present case is likely to be disposed of within one year, if witnesses are produced on time.

Considering the submissions made in the report, I am not inclined to grant bail to the appellant named above. The prayer for bail is hereby rejected.

Accordingly, the appeal is dismissed.

However, the trial court is directed to conclude the trial as expeditiously as possible, preferably within a period of one year from the date of receipt of a copy of this order.

The Superintendent of Police, Vaishali at Hajipur, is directed to take steps for production of the prosecution witnesses for their examination as and when the date is fixed, so that the trial may be concluded within the time indicated herein above.

(Anjani Kumar Sharan, J)

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