

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.2730 of 2022

Arising Out of PS. Case No.-78 Year-2021 Thana- HARSIDHI District- East Champaran

Navin Yadav @ Nabin Yadav @ Naveen Yadav S/O Suresh Yadav Resident of
Village- Murla, Police Station- Ramgarhwa, District- East Champaran At
Motihari

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Shashank Shekhar

For the Respondent/s : Mr. Binay Krishna

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 19-10-2022 Heard learned counsel for the appellant and learned
Special Public Prosecutor for the State. The learned APP for the
State informed the informant through SP concerned and the
local SHO.

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 02.03.2022, passed by
learned Special Judge (SC/ST Act), Motihari, East Champaran
in connection with Harsidhi P.S. Case No. 78 of 2021, registered
under Sections 364, 120B, 376, 313, 117 and 34 of the IPC and
Sections 3(1) (a) (d) (ii) (r)(s) of SC/ST Act.

Earlier, prayer for bail of the appellant was rejected vide
order dated 20.04.2022 passed in Cr. Misc. No. 1209 of 2022



with a liberty to the appellant to renew his prayer for bail after examination of the informant.

From perusal of deposition of the informant, it appears that the informant has supported the prosecution case. In her cross examination, she has stated that no one has read the case written by the advocate nor it was read over to anyone. I am illiterate. It is brought to the notice of the Court that the I.O. and Doctor has not been examined till date.

Considering the facts and circumstances of the case, I am not inclined to enlarge the appellant on bail. Accordingly, his prayer for anticipatory bail is rejected in connection with Harsidhi P.S. Case No. 78 of 2021.

Accordingly, the appeal is dismissed. However, Trial Court is directed to conclude the trial as expeditiously as possible within a period of three months and S. S.P., Motihari is directed to ensure production of the witnesses in the case on each and every date fixed without fail.

It goes without saying that if the trial is not concluded within the stipulated period as aforesaid, the learned court below is directed to release the appellant on bail.

(Anjani Kumar Sharan, J)

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