

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.3983 of 2021

Arising Out of PS. Case No.-205 Year-2021 Thana- ALAMGANJ District- Patna

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1. Akash Choudhary @ Takla @ Akash Kumar S/O Sita Ram Prasad @ Late Sita Ram Mallaha R/O Mohalla- Badi Patan Devi Grahpar, P.S.- Alamganj, District- Patna
 2. Sunny Kumar @ Sunny Choudahry S/O Sita Ram Prasad @ Late Sita Ram Mahllaha R/O Mohalla- Badi Patan Devi Grahpar, P.S.- Alamganj, District- Patna

... .. Appellant/s

Versus

1. The State of Bihar
 2. Munna Choudhary S/o Late Girwar Choudhary R/o village- Ajawn, P.S.- Naubatpur, Distt.- Patna, At present- Kankarbagh Tempo Stand slam
- Respondent/s

Appearance :

For the Appellant/s	:	Mr. Vinod Pandey
For the State	:	Mrs. Usha Kumari 1
For respondent no. 2		Mr. Deepak Kumar
		Mr. Rajeev Kumar
		Mr. Kamal Kishore Kumar

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

- 3 05-05-2022 Heard learned counsel for the appellants, respondent no. 2 and learned Special Public Prosecutor for the State.

Learned counsel for the appellants has filed the supplementary affidavit today in the Court.

Let it be kept on record.

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 10.08.2021, passed by learned Special Judge (SC/ST Act), Patna in connection with



Special Case No. 117 of 2021 arising out of Alamganj P.S. Case No. 205 of 2021, registered under Sections 302, 120B, 504, 506/34 of the IPC and Sections 3(2) (va) of SC/ST Act.

Appellants are said to have abused the son of the informant by taking caste name. They also assaulted by means of sharp cutting weapons on his chest.

It is submitted by learned counsel for the appellants that the appellants are innocent and have been falsely implicated in this case. He submits that there is specific allegation against co-accused Kallu @ Rohit Choudhary. He further submits that appellants have one criminal antecedent as stated in para-3 of this appeal and they are languishing in judicial custody since 06.04.2021.

Learned Spl. PP for the State and respondent no. 2 oppose the prayer for bail and submit that the trial is going on which one of the witnesses have been examined.

Considering the facts and circumstances of the case, I am not inclined to the appellants on bail. Accordingly, their prayer for bail is rejected in connection with Special Case No. 117 of 2021 arising out of Alamganj P.S. Case No. 205 of 2021.

Accordingly, this appeal is dismissed. However, trial court is directed to conclude the trial within a period of three



months. Both parties are also directed to cooperate in the trial.

(Anjani Kumar Sharan, J)

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