

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.646 of 2022

Arising Out of PS. Case No.-318 Year-2020 Thana- RAHUI District- Nalanda

KAUSHLENDRA YADAV @ SURFUDDIN YADAV S/o Hari Yadav R/o
village- Mallichak, P.S.- Rahui, District- Nalanda

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr. Raj Kishor Prasad, Advocate
For the State	:	Mr. Usha Kumari 1, Spl. P.P.
For the Informant	:	Mr. Vijay Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

7 14-12-2023 Heard learned counsel for the appellant, informant
and learned Special Public Prosecutor for the State.

2. The instant appeal has been filed by the appellant against the order dated 10.08.2021 passed by learned Special Judge, (SC/ST) Act, whereby the prayer for bail of the appellant in connection with Rahui P.S. Case No. 318 of 2020 under Sections 302 and 120B of the IPC and Sections 3(i)(r)(s) of the SC/ST (POA) Act was rejected.

3. The allegation against the appellant along with others is of killing the brother of the informant.

4. It is submitted by learned counsel for the appellant that appellant has been falsely implicated in this case on the basis of suspicion. He has not taken the caste name of the



informant in public view. No offence is made out under the provisions of the SC/ST Act against him. The appellant has no intention to disgrace the image of the informant in public view. He is languishing in judicial custody since 14.09.2020.

5. The appeal for bail is opposed by learned Spl. P.P. for the State and learned counsel for the informant and submitted that appellant is named in FIR and during investigation, he confessed his guilt in his confessional statement and on his instance, beheaded dead body has been recovered and there is specific allegation against the appellant in commission of murder of the deceased. During investigation, several witnesses have supported the prosecution case.

6. Having heard learned counsel for the parties and considering the aforesaid facts, I do not find it appropriate to grant bail to the appellant and, as such, his prayer for bail stands rejected.

7. The trial Court is directed to expedite the trial and conclude the same within a period of nine months failing which, the appellant will be at liberty to renew his prayer for bail.

(Sunil Kumar Panwar, J)

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