

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL APPEAL (SJ) No.1349 of 2022**

Arising Out of PS. Case No.-282 Year-2018 Thana- PATLIPUTRA District- Patna

Md. Arman @ Langra Son Of Late Boka Miyan R/O Mohalla- L.C.T. (Gate No.- 56), P.S.- Patliputra, District- Patna

... .. Appellant

Versus

1. The State of Bihar
2. Viru Ram, son of Late Ashok Ram R/O- L.C.T. Ghat, Bandhpar, Gate No.- 56, P.S.- Patliputra, District- Patna

... .. Respondents

**Appearance :**

For the Appellant/s : Mr.Deovind Kumar Singh, Advocate  
For the Respondent/s : Mr.Binay Krishna, Spl.PP

**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD**  
**ORAL ORDER**

6      17-05-2023                      Heard learned counsel for the appellant and Mr. Binay Krishna, learned Special Public Prosecutor for the State.

The appellant, in the present case, is seeking setting aside the order dated 15.02.2022 passed by learned Special Judge (SC/ST Act), Patna in connection with Spl. Case No. 473/2018 arising out of Patliputra P.S. Case No. 282/2018 registered under Section 304(B)/34 of the Indian Penal Code and Section 3(2)(v) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989. The appellant has no criminal antecedent as stated in paragraph '3' of the application.

Earlier the prayer for bail of the appellant was



rejected vide order dated 05.04.2021 passed in Cr. Appeal (SJ) No. 258/2021 giving a direction to expedite the trial.

Learned counsel for the appellant submits that despite the direction of this court to expedite the trial, it has not proceeded. The appellant has remained in judicial custody since 09.07.2018 having no criminal antecedent.

Learned Special Public Prosecutor for the State has opposed the prayer for regular bail of the appellant.

Having regard to the facts and circumstances of the case, the materials present in the impugned order showing that till date no prosecution witness has been examined and that the appellant has remained in judicial custody since 09.07.2018, despite the direction of this Court to expedite the trial, it has not proceeded, there being no submission on behalf of the State that if released on bail the appearance of the appellant cannot be secured, this Court sets-aside the impugned order and directs release of the appellant above-named on bail on furnishing of bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand only) with two sureties of the like amount each to the satisfaction of learned Special Judge, SC/ST Act, Patna in connection with Spl. Case No. 473/2018 arising out of Patliputra P.S. Case No. 282/2018, subject to the condition as laid down under Section



437 (3) Cr.P.C.

And further condition that the court below shall verify the criminal antecedent of the appellant and in case at any stage it is found that the appellant has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the appellant. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

**(Rajeev Ranjan Prasad, J)**

Rajeev/-

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