

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.2597 of 2023**

Arising Out of PS. Case No.-197 Year-2019 Thana- TARARI District- Bhojpur

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Sunil Yadav @ Sunil Kumar @ Sunil Kumar Yadav, Son of Hiralal Yadav,
Resident of village - Rajpur, P.S. - Imadpur, Distt. - Bhojpur

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

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Appearance :

For the Appellant/s : Mr. Ravindra Kumar, Advocate
For the Respondent/s : Mr. Binay Krishna, Spl. P.P.

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CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

4 16-08-2023 Heard Mr. Ravindra Kumar, learned counsel

 appearing on behalf of the appellant and the learned Spl. PP for

 the State.

2. This is the second attempt wherein the appellant preferred the appeal under Section 14 (A) (2) of the Scheduled Caste/Scheduled Tribe, Prevention of Atrocities Act, (hereinafter referred to as ‘SC/ST Act’) against order dated 20.04.2023 passed in B.P. No. 2247 of 2023 in connection with SC/ST Case No. 68 of 2021 arising out of Tarari P.S. Case No. 197 of 2019 for the offences punishable under Section 302/34 of the Indian Penal Code, Section 27 of the Arms Act and Section 3(i)(r) (s)/3(2)(va) of the SC/ST Act.



3. Earlier the prayer of the appellant was turned down by this Court vide order dated 29.09.2022 in Cr. Appeal (SJ) No. 4426 of 2021 after taking into consideration the specific accusation of firing levelled against three persons, including the appellant, and the same has also been corroborated by the post-mortem report as the post-mortem report suggests three firearm injuries over the body of the deceased. While rejecting the prayer of the appellant, this Court has also taken note of the criminal antecedent of the appellant in two other criminal cases.

4. On the last occasion vide order dated 12.07.2023, the status report with regard to the ongoing trial was called for and from perusal thereof, it appears that the charges have already been framed against the accused persons, including the appellant and summons have been issued against the witnesses and the cases pending over the prosecution evidence.

5. In view of the specific nature of accusation and taking into consideration the petitioner is one of the author of the firearm injury causing death of the father of the informant, this Court does not find any cogent and overwhelming circumstances to reconsider his prayer for bail.

6. In view thereof, the present appeal stands dismissed with a direction to the learned trial Court to expedite the trial



and take all the endeavours to conclude the same, as early as possible, preferably within a period of one year.

(Harish Kumar, J)

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