

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.3136 of 2023

Arising Out of PS. Case No.-301 Year-2022 Thana- MADHUBAN District- East Champaran

NIRAJ SINGH SON OF LATE RAMADHAR SINGH RESIDENT OF
VILLAGE- KAURIA, PS- MADHUBAN, DIST- EAST CHAMPARAN,
BIHAR

... .. Appellant/s

Versus

1. The State of Bihar
2. GAITRI DEVI WIFE OF SHRI PASWAN RESIDENT OF VILLAGE-
KAAURIA, PS- MADHUBAN, DIST- EAST CHAMPARAN, MOTIHARI

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Rajesh Kumar, Advocate
For the Respondent/s : Mr. Sadanand Paswan, Spl. P.P.

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

4 08-09-2023 Heard the parties.

2. The present appeal is directed against the order dated 12.06.2023 passed by learned Court of Special Judge SC/ST Act in connection with Trial No. 04 of 2023 arising out of Madhuban P.S. Case No. 301 of 2022 registered for the offences under sections 341, 323, 324, 447, 448, 302, 504, 506 and 34 of the Indian Penal Code and section 3(2)ra of the SC/ST Act whereby and whereunder prayer for regular bail of the appellant has been rejected.

3. As per the prosecution story, the informant has alleged that while her son was outside sitting on the door, the accused persons including the petitioner came and asked to direct the informant's sister to compromise the case lodged by her failing which they will have to bear the consequences. Upon



protest, allegation is that not only caste name taken, they ran behind, the informant's son who had come inside for safety. In the process, allegation is that this appellant entered home with '*daab*' in his hand while Navin Singh was having '*fasli*' and Kameshwar Singh knife, they assaulted and killed her son. Accordingly, the FIR.

4. It is the case of the appellant that due to earlier case lodged by them, the specific allegation has been made and is in jail since 13.10.2022 (as stated in paragraph 6 of the petition).

5. Learned Special P.P., on the other hand, submits that specific allegation amongst other is against this appellant of using '*daab*' to kill the informant's son, Ranjay Kumar.

6. Considering the kind of allegation that has come against the appellant, no relief can be granted to him and the appeal stands dismissed.

7. Taking into account that he is in custody since 13.10.2022, the Trial Court is directed to expedite the trial and conclude the same preferably within a period of one year.

(Rajiv Roy, J)

Neha/-

U		T	
---	--	---	--

