

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.3480 of 2023

Arising Out of PS. Case No.-34 Year-2023 Thana- AMBA District- Aurangabad

Bikash Yadav @ Vikash Yadav S/O Late Pramod Yadav R/O Village- Joda,
P.S- Amba, District- Aurangabad.

... .. Appellant/s

Versus

1. THE STATE OF BIHAR BIHAR
2. VIRENDRA BHUYIAN S/O LALU BHUYIAN R/O VILLAGE- JODA,
P.S- AMBA, DISTT.- AURANGABAD.

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Bhaskar Shankar

For the Respondent/s : Mr.Sadanand Paswan

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

4 30-11-2023 Heard learned counsel for the appellant, learned
counsel for the informant and learned Special Public
Prosecutor for the State.

The instant appeal has been filed by the appellant against the order dated 30.05.2023 passed by learned Special Judge (SC/ST)-cum-1st Addl. Sessions Judge, Aurangabad in B.P. No. 544 of 2023 whereby the prayer for bail of the appellant in connection with Amba P.S. Case no. 34 of 2023 under Sections 307, 323, 341, 504, 506 of the Indian Penal Code and section 3(i)(r)(s)/ 3(2)(v) of SC/ST (Prevention of Atrocities Act) Act, later on Section 302 of IPC was added, was rejected.



The prosecution case in nutshell is that while the informant's mother was in her mustard field, appellant's buffalo entered into the field. When the informant's mother opposed, appellant abused her with caste name and threw her down and assaulted badly due to which she sustained injuries and died during the course of treatment.

It is submitted by learned counsel for the appellant that appellant has been falsely implicated in this case due to village politics. There is inordinate delay of 3 days in lodging the F.I.R. Informant's mother (Deceased) was an old lady aged about 90 years. The appellant has no intention to disgrace the image of the informant in public view.

The application for bail is opposed by learned Spl. P.P. for the State and learned counsel for the informant and submitted that petitioner is named in F.I.R. and there is specific allegation against the appellant. Postmortem report also corroborates with the prosecution version of the case.

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



prayer for bail is rejected.

Learned Trial Court is directed to expedite the trail
and conclude the same within a period of nine months.

(Sunil Kumar Panwar, J)

Nirajkrs/-

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