

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.4612 of 2021**

Arising Out of PS. Case No.-541 Year-2020 Thana- TEKARI District- Gaya

Mukesh Kewat, Son of Tulsi Kewat, Resident of Village- Chakmath, P.S.-
Tekari, Dist- Gaya Appellant

Versus

1. The State of Bihar
2. Ranjeet Choudhary, son of Baleshwar Choudhary, Resident of Village-
Cinura, Batiyapur, P.S. Alipur, District-Gaya Opposite Parties

Appearance :

For the Appellant/s	:	Mr. Manish Kumar No.2, Advocate
For the Respondent/s	:	Mr. Binay Krishna, Spl.PP
For the Informant	:	Mr. Vishwa Ranjan Choudhary, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

5 17-05-2023 Heard learned counsel for the appellant, learned counsel
for the informant and learned Spl.PP for the State.

The appellant in the present case has renewed his prayer for bail and is seeking setting aside of the order dated 17.07.2021 passed by learned Exclusive Special Judge, SC/ST Act, Gaya in Tekari P.S. Case No. 541 of 2020 registered for the offence under Sections 302 and 34 of the Indian Penal Code, Section 27 of the Arms Act and Sections 3(1)(r)(s) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 whereby and whereunder the prayer for bail of the appellant has been rejected.

Earlier the prayer for bail of the petitioner was rejected by this Court vide order dated 26.04.2021 passed in Cr. Appeal (SJ) No. 1266 of 2021 with a direction to expedite the trial.

Learned counsel for the appellant submits that the



appellant is in custody since 13.11.2020 and has one criminal case on his head, in which he is on bail.

Learned counsel for the informant submits that the trial has begun and the prosecution witnesses are being examined.

Learned Spl.PP for the State has opposed the prayer for bail of the appellant.

Having heard learned counsel for the appellant, learned counsel for the informant and learned APP for the State as also on perusal of the trial court's report, finding that the trial has already begun and the prosecution witnesses are being examined, this Court is not inclined to grant bail to the appellant.

The prayer for regular bail of the appellant is, thus, rejected.

The trial court is directed to keep the records of this case on shorter dates and all endeavours be made to conclude the trial as early as possible preferably within a period of 9 months from the date of receipt/production of a copy of this order.

If the trial is still not concluded for no reason attributable to the appellant, he may renew his prayer for bail in the court below.

The appeal is disposed of accordingly.

(Rajeev Ranjan Prasad, J)

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