

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.4406 of 2022**

Arising Out of PS. Case No.-348 Year-2019 Thana- RAHUI District- Nalanda

AZAD BIND Son of Sri Mahendra Bind R/V- Imli Bigha, P.S- Rahui (Wena)
Dist- Nalanda (Bihar)

... .. Appellant/s

Versus

1. The State of Bihar
2. Anil Paswan Son of Ramashish Paswan R/V- Imli Bigha, P.S- Rahui (wena),
Dist- Nalanda (Bihar)

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Yogendra Kumar, Adv.
For the Respondent/s : Mrs.Usha Kumari 1, Spl.P.P.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 15-03-2023 Heard the parties.

This is an appeal under section 14 A (2) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act (hereinafter in short referred to as the 'SC/ST Act') against the refusal of prayer for anticipatory bail vide order dated 09.11.2022, passed by learned Additional Sessions Judge III-cum-Special Judge (SC and ST), Nalanda at Biharsharif, in connection with Rahui (Wena) P.S. Case No.348 of 2019, registered u/s 147, 148, 149, 341, 342, 302, 307, 504, 506 of the IPC, section 27 of the Arms Act and sections 3(2)(Va) of the SC and ST Act.

Vide order dated 04.01.2023, a report was called for, regarding the stage of trial. In compliance thereof, a report is sent by learned Spl. Judge SC/ST-cum-Additional District &



Sessions Judge-3rd, Nalanda at Biharsharif, whereby it is submitted that altogether five witnesses have been cited in the charge sheet, out of which one witness has already been examined and four witnesses remained to be examined including the I.O. Bailable, Non-bailable warrant have been issued against the rest private witnesses and summon to I/O on 25.07.2022. It is further stated that the time likely to be taken in conclusion of the trial is about six months.

Considering the submissions made in the report, I am not inclined to grant bail to the appellant named above. The prayer for bail is hereby rejected.

Accordingly, the appeal is dismissed.

However, the trial court is directed to conclude the trial as expeditiously as possible, preferably within a period of six months from the date of receipt of a copy of this order.

The Superintendent of Police, Nalanda is directed to take steps for production of the prosecution witnesses for their examination as and when the date is fixed, so that the trial may be concluded within the time indicated herein above.

(Anjani Kumar Sharan, J)

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