

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.992 of 2024

Arising Out of PS. Case No.-1481 Year-2023 Thana- NAWADA District- Nawada

Sunil Kumar Yadav Son Of Radhey Yadav @ Rajdeo Prasad Yadav Resident
Of Village- Dewara, P.S.- Sitamarhi, O.P. Narhat, District- Nawada

... .. Appellant/s

Versus

1. The State of Bihar
2. Basudeo Ram Son Of Puna Chaudhary Resident Of Village- Ambedkar
Nagar Bhadauni, P.S. - Nagar (NAWADA), Dist- Nawada

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr. Anirudh Kumar Sinha, Advocate
For the Respondent/s	:	Mr. Binay Krishna, Spl. PP

CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND MALVIYA
ORAL ORDER

5 18-04-2024 Heard learned counsel for the appellant, learned
Special Public Prosecutor for the State.

2. The instant appeal has been filed by the appellant against the order dated 27.01.2024 passed by Court of Exclusive Special SC/ST (POA) Act Court, Nawada in connection with Nagar P.S. Case No. 1481 of 2023 under Section 306 of IPC and Section 3(i)(r)(j), 3(2)(va) of Scheduled Caste and Scheduled Tribes (Prevention of Atrocities) Act was rejected.

3. As per the prosecution story, son of the informant, namely, Vijay Kumar was found dead by hanging with one suicide note stating that the appellant is responsible for his suicide.

4. Learned counsel for the appellant submits that the appellant has falsely been implicated in the present case. He further submits that the appellant has not taken the caste name of



the informant in public view. Hence, no offence under the provisions of SC/ST Act is made out against him.

5. Learned Special P.P. for the State and the informant have vehemently opposed the prayer for grant of bail.

6. On perusal of the FIR and impugned order dated 27.01.2024, it appears that on the basis of fardbeyan of informant FIR was registered against the present appellant. It also appears that investigation is already completed and charge sheet has been submitted in the present case. On perusal of case diary in para 5, it appears that this is a suicidal note of the deceased Vijay Kumar and allegation of suicide is specific against the present petitioner so, I am not inclined to grant bail to the appellant.

7. Accordingly, the instant appeal stands rejected.

8. However, the learned trial Court is directed to conclude the trial within a period of six months from the date of receipt of a copy of this order and if the trial is not concluded within the stipulated period, then the appellant may renew his prayer for bail before the trial Court and the trial Court shall grant bail to the appellant.

(Ramesh Chand Malviya, J)

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