

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.3087 of 2024

Arising Out of PS. Case No.-101 Year-2022 Thana- AMDABAD District- Katihar

Shikha Mandal W/o Late Sadanand Mandal R/o vill - Mahananda Tola, P.S. -
Ratua, Distt. - Maldah (W.B)

... .. Appellant/s

Versus

1. The State of Bihar
2. Ajay Ravidas S/o Late Sudhir Ravidas R/o vill - Badan Tola, P.S. -
Amdabad, Distt. - Katihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Rajendra Prasad Sah, Advocate
For the Respondent/s : Mrs. Usha Kumari No. 1, SPP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

4 27-09-2024 Heard learned counsel for the appellant, learned
Special Public Prosecutor for the State and learned counsel for
the informant.

2. The present appeal is the second attempt of the
appellant for grant of regular bail. Earlier, the appellant moved
before this Court for grant of bail vide order dated 22.02.2024
passed in Criminal Appeal (SJ) No. 4239 of 2022 and the same
was dismissed and the bail was rejected.

3. The instant appeal has been filed by the appellant
against the order dated 05.06.2024 passed by learned ADJ Cum
Special Judge SC/ST, Katihar, passed in GR- 2203/2022
whereby the prayer for bail of the appellant in connection with



Amdabad P.S. Case No. 101 of 2022 under Section 363 of the Indian Penal Code and Sections 302, 201 of the Indian Penal Code were added later and Sections 3(2)(v) of SC/ST Act was rejected.

4. The prosecution case, in short, is that the brother of the informant got traceless and on call, his mobile was showing switch off.

5. Learned counsel for the appellant submits that the appellant is a lady and has falsely been implicated in the present case. Charge-sheet has been submitted in this case. Learned counsel further submitted that there is a delay of six days in lodging the FIR without plausible explanation, which in itself, raises doubt over the prosecution story. Learned counsel further submits that the allegation under the SC/ST Act appears to be super addition. Learned counsel further submitted that appellant is in custody since 01.12.2022 and has no criminal antecedent.

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

7. A report was called for from the learned Trial Court. In the said report dated 07.09.2024, it has been reported that out of nine prosecution witnesses, one witnesses is left to be



examined and the case has been fixed on 21.09.2024 for prosecution evidence.

8. Considering the aforesaid facts and circumstances of the case and the stage of the case, this Court is not inclined to grant bail to the petitioner. The prayer is rejected.

9. Learned trial Court is directed to take all necessary steps to conclude the trial at the earliest. However, if the trial is not concluded within a period of two months, the appellant shall have liberty to renew the prayer for bail after the stipulated period of two months from today.

10. The District Magistrate, Katihar and the Superintendent of Police, Katihar are also directed to take the necessary steps to produce the official witnesses on the date fixed in the Trial Court so that the trial could be concluded at the earliest.

11. Let this order be communicated to the District Magistrate, Katihar and Superintendent of Police, Katihar.

12. The appeal stands dismissed.

(Rudra Prakash Mishra, J)

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