

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.5349 of 2023**

Arising Out of PS. Case No.-20 Year-2022 Thana- RAJEPUR District- East Champaran

Subodh Kumar Son Of Mahendra Ram R/O Village- Kuwama, P.S.- Rajepur,
District- East Champaran, Motihari

... .. Appellant/S

Versus

1. The State Of Bihar
2. Rupam Kumari D/O Damal Ram R/O Village- Balakothi, P.S.- Rajepur,
District- East Champaran, Motihari

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Rajesh Kumar
For the Respondent/s : Mr.Binay Krishna

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

5 19-07-2024 Heard learned counsel for the appellant as well as
learned Spl. P.P. for the State.

2. This appeal has been preferred on behalf of the appellant under Section 14-A(2) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act for setting aside the order dated 23.08.2023, passed by the learned Special Judge SC & ST Act, West Champaran, Motihari in connection with Rajepur P.S. Case No. 20 of 2022, registered for the offences punishable under Sections 376 (D)/34 of the Indian Penal Code & Section 3(2)(v) of SC and ST (Prevention of Atrocities) Act,



whereby the prayer for bail of the appellant has been rejected.

3. As per allegation, six named accused persons along with the appellant dragged the informant in a hut and the appellant and co-accused Vikky Kumar committed rape upon her and the rest accused persons made video clip. It has further been alleged that prior to the occurrence also the appellant and other accused persons used to tease the informant. The accused persons threatened the victim that had she narrated the occurrence to anybody they would make viral the vulgarous video.

4. The learned counsel for the appellant has submitted that earlier the bail application of the appellant was rejected vide order dated 18.04.2023 passed in Cr.APP. (SJ) No. 3833 of 2022 but he is renewing the prayer for bail on the ground that the appellant is in custody since 16.01.2022, charge has been framed against the appellant on 13.10.2022 and not a single witnesses have been examined as yet.

5. Considering the above mentioned facts and circumstances of the case, this Court is not inclined to allow this appeal.

6. Accordingly, the appeal stands rejected with a direction to trial Court to conclude the trial within a period of



six months, failing which, appellant will be at liberty to renew his prayer for bail. It is hereby made clear that the trial should not be lingered due to action/omission of the accused persons.

(Nawneet Kumar Pandey, J)

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