

IN THE HIGH COURT OF JHARKHAND AT RANCHI
Cr. Appeal (S.J.) No.242 of 2022

Devendra Dubey @ Devendra Kumar Dubey
@ Dewendra Kumar Dubey **Appellant**

Versus

1. The State of Jharkhand
2. Archana Toppo **Respondents**

CORAM: HON'BLE MR. JUSTICE RAJESH KUMAR

For the Appellant : Mr. Rahul Kr. Singh, Advocate
For the State : Mr. Nawin Kr. Singh, A.P.P
For the Resp. No.02 : Mr. Shree Nivas Roy, Advocate
Mr. Ramesh Kumar, Advocate

07/Dated: 31st August, 2022

1. Heard Learned counsel for the appellant, learned A.P.P and learned counsel for the respondent No.2.
2. The present appeal has been filed under Section 14-A of the Scheduled Castes/Scheduled Tribes (Prevention of Atrocities) Act.
3. The appellant, who is in custody since 27.09.2021 has approached this Court for grant of regular bail, against the order order 27.01.2022, passed by the court of learned Additional Sessions Judge - I, Garhwa in SC/ST Case No.07 of 2021, whereby the prayer for grant of bail to the appellant has been rejected in connection with Garhwa SC/ ST P.S. Case No.08 of 2021, registered for the offence under Sections 341/ 323/ 307/ 376(D)/ 392/ 504/ 506/ 34 of the Indian Penal Code and Sections 3(2)(V) of the SC/ST Act.
4. It appears that the appellant, along with other co-accused, has been made accused for committing gang rape upon the victim, who belongs to the member of S.T community.
5. Learned counsel for the appellant claims innocence of the appellant and it has been submitted that the appellant has given undertaking to participate in the trial.
6. On the other hand, learned A.P.P., assisted by the learned counsel for the respondent No.2, has opposed the prayer for bail. It has been submitted that the victim girl has supported the allegation.

7. Considering the above fact, I am not inclined to grant the bail to the appellant, at this stage. Accordingly, the prayer for bail of the appellant is hereby rejected.

8. However, considering the gravity of the offence, the trial court is directed to conclude the trial as early as possible, preferably within six months from the date of receipt of copy of this order.

9. In the result, the appeal is, hereby, dismissed.

(Rajesh Kumar, J.)

Chandan/-