IN THE HIGH COURT OF MADHYA PRADESH AT JABALPUR

BEFORE

HON'BLE SHRI JUSTICE SANJAY DWIVEDI

ON THE 15th OF DECEMBER, 2023

CRIMINAL APPEAL No. 14742 of 2023

BETWEEN:-

SUJEET RAI S/O SHRI SURENDRA RAI, AGED ABOUT 34 YEARS, OCCUPATION: PRIVATE WORK RESIDENT GRAM IMALIYA POLICE STATION AND TEHSIL SULTANPUR DISTRICT RAISEN (MADHYA PRADESH)

.....APPELLANT

(BY SHRI LALJI KUSHWAHA - ADVOCATE)

AND

1. **THE STATE OF MADHYA PRADESH THROUGH ARAKSHI KENDRA SULTANPUR DISTRICT RAISEN (MADHYA PRADESH)**

2. **FARIYADI A D/O NOT MENTION NOT MENTION (MADHYA PRADESH)**

.....RESPONDENTS

(RESPONDENT/STATE BY SHRI AMIT PANDEY - PANEL LAWYER)

This appeal coming on for hearing this day, the court passed the following:

ORDER

This third bail application under Section 439 of the Code of Criminal Procedure in the shape of appeal under Section 14-A of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989, has been filed on behalf of the appellant for grant of bail in relation to FIR No.310/2021 registered at Police Station Sultanpur, District Raisen, for the offence under Sections 343, 376(2)(n), 506 of the Indian Penal Code and Sections 3(1)(W)(ii), 3(2)(va) of

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the SC/ST Act. The appellant is in jail since 21.03.2023.

2 . The earlier application of the appellant was dismissed as withdrawn with liberty to file afresh after recording of the statement of prosecutrix or after three months, whichever is earlier vide order dated 04.07.2023 passed in Cr.A. No.6827 of 2023.

3. Learned counsel for the appellant submits that the present appellant is in jail since 21.03.2023 and the prosecutrix has already been examined. The statement of prosecutrix is also placed before this Court. He therefore, submits that on this ground, the application of the present appellant may be considered.

4. Shri Pandey, learned counsel for the respondent/State on the other hand has opposed the application and prays for its rejection.

5. In view of the aforesaid, instead of considering this bail application, it is disposed of directing the trial Court to expedite the trial and conclude it preferably within a period of six months.

However, it is made clear that within the given time, if trial is not concluded then the appellant would be at liberty to revive the prayer of bail.

With the aforesaid, this application is **disposed of**.

(SANJAY DWIVEDI)
JUDGE

rao

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