

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38814 of 2015

Arising Out of PS.Case No. -172 Year- 2014 Thana -SURSAND District- SITAMARHI

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1. Santosh Choudhary, son of Late Umesh Choudhary
2. Rakesh Choudhary, son of Late Bindeshwar Choudhary Both resident of Village Hari, Police Station Sursand, District Sitamarhi.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Madhuri Kumari

For the Opposite Party/s : Mr. J.N.Thakur(App)

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

3 09-12-2015 Heard learned counsel for the petitioners as well as learned Additional Public Prosecutor for the State.

Earlier the prayer for bail of the petitioners was rejected by this court but submission on behalf of the petitioners is that out of five charge sheeted witnesses, three witnesses have already been examined but they have not supported the prosecution case and moreover, one co-accused, namely, Santosh Thakur, against whom there was serious allegation, has already been granted privilege of anticipatory bail by a co-ordinate Bench of this court vide order dated 09.06.2015 passed in Cr. Misc. No. 17908 of 2015.

The trial court has reported that out of five proposed

prosecution witnesses, three witnesses have already been examined but up till now, neither victim nor informant has been examined.

Regard being had to the aforesaid facts and circumstances as well as submissions of the parties, I am not inclined to release the petitioners on bail and hence, their prayer for bail in connection with Sursand P.S. Case No. 172 of 2014 corresponding to Trial No. 15 of 2014 pending in the court of 1st Additional Sessions Judge-cum-Special Judge, POCSO ACT, Sitamarhi is again rejected.

However, learned trial court is directed to expedite the trial of the petitioners and try to conclude the same as early as possible, preferably within four months from the date of receipt/production of copy of this order, failing which the petitioners may renew their prayer for bail before the court below itself.

(Hemant Kumar Srivastava, J)

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