

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.18437 of 2016

Arising out of PS.Case No. -256 Year- 2013 Thana -KESARIA District- EAST  
CHAMPARAN(MOTIHARI)

Sonu @ Sanju Roy @ Sanju Rai, S/O Tara Bodo Rai, resident of Village +  
P.S. Bhadeshar, District- Hugli, Kolkata. (West Bengal).

.... .... Petitioner

Versus

The State of Bihar

.... .... Opposite Party

Appearance :

For the Petitioner : Mr. Ajay Kumar Singh, Advocate.

For the Opposite Party : Mr. P.K.Chaurasiya(App)

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH  
ORAL ORDER

3 22-06-2016 Heard learned counsel for the petitioner and learned  
counsel for the State.

The petitioner is languishing in custody since 07.07.2014  
in connection with Kesharia P.S. Case No. 256 of 2013 for the  
offences instituted under Sections 363, 366(A), 372, 376, 120(B)  
of the IPC and 6 of the POCSO Act.

The prosecution story, in brief, is that the informant Rina  
Devi @ Dhrubpati Devi, who is the mother of Rina Kumari,  
lodged information with the police that her daughter is traceless  
from Keshariya Middle School after lunch since 12.10.2013. The  
informant tried to search her out but in vain. It has further been  
alleged that the informant has suspicion that her daughter has been

kept anywhere else by one Urmila Devi for the purpose of marriage with her son Chandan Kumar.

This is the second attempt for bail on behalf of the petitioner. Earlier the prayer for bail of the petitioner was rejected vide Cr. Misc. No. 26014 of 2015 dated 27.07.2015. The said application was rejected with a direction to the learned trial court to conclude the trial preferably within a period of six months from the date of receipt/production of copy of the order.

A report was called for from the trial court. From perusal of the said report, it is evident that trial has not yet been concluded and numbers of witnesses are yet to be examined.

It has been submitted on behalf of the petitioner that the petitioner is in custody since 07.07.2014. The petitioner has got no criminal antecedent nor there is allegation of tempering with the evidence against the petitioner. The only material is against the petitioner that he has been named by the victim under her statement recorded in 164 Cr. P.C. Similarly situated the other co-accused have been granted bail by this Court vide Cr. Misc. Nos. 30284 of 2014 and 33367 of 2014. .

On behalf of the State it has been submitted that the petitioner is not named in the F.I.R. and his name has come in course of investigation.

Considering the aforesaid facts and circumstances of the case and the period of custody, let the petitioner above named, be released on bail on furnishing bail bond of Rs. 10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned 1<sup>st</sup> Additional Sessions Judge, East Champaran at Motihari in connection with Kesharia P.S. Case No. 256 of 2013.

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(Sudhir Singh, J)