

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38703 of 2016

Arising Out of P.S.Case No. -215 Year- 2015 Thana -MITHANPURA District- MUZAFFARPUR

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Md. Arman, S/o Md. Alam, r/o Mohalla- Kachchi Sarai Road, Behind Amar Cinema, P.S.- Mithanpura, District- Muzaffarpur.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Manoj Kumar Manoj, Advocate.

For the State : Mr. Manoj Kumar – 1, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

2 28-09-2016 Heard learned counsel for the petitioner and learned counsel for the State.

The petitioner has renewed his application for grant of bail in connection with Mithanpura P.S. Case No. 215 of 2015, Trial No. 45 of 2015 registered under Sections 354B/34 of the Indian Penal Code. The prayer for grant of bail of the petitioner was earlier rejected by this Court vide order dated 14.12.2015 passed in Cr. Misc. 55861 of 2015.

It is contended by the learned counsel for the petitioner that while rejecting the bail application of the petitioner on 14.12.2015, this Court had observed, that if trial is not concluded within nine months from the date of framing of charge, the petitioner would be at liberty to renew his prayer for bail. It is

submitted that charges were framed on 6.11.2015 and within a period of nine months, no prosecution witness was examined. However, recently, one prosecution witness has been examined and there is no likelihood of conclusion of the trial in near future.

Regard being had to the period undergone by the petitioner in custody and the observation made by this Court vide order dated 14.12.2015 passed in Cr. Misc. 55861 of 2015, the petitioner above named, is directed to be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand only) with two sureties of the like amount each to the satisfaction of Special Judge, POCSO ACT, Muzaffarpur, in connection with Mithanpura P.S. Case No. 215 of 2015, Trial No. 45 of 2015.

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(Ashwani Kumar Singh, J)

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