

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.40149 of 2016

Arising Out of PS.Case No. -119 Year- 2013 Thana -PAKRIDAYAL District- EAST
CHAMPARAN (MOTIHARI)

1. Meghu Ram, S/o Late Jangal Ram
2. Manohar Ram S/o Meghua Ram
Both are resident of Village-Thika Math, P.S.-Pakaridaya, Distt-East
Champanan.

.... Petitioner

Versus

The State of Bihar Opposite Party

Appearance :

For the Petitioner/s : Mr. Pramod Kumar Pandey, Advocate

For the Opposite Party/s : Mr. Akbar Ali, APP

CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

2 05-10-2016 Heard learned counsel for the petitioners and learned
counsel for the State.

The petitioners seek bail in connection with Sessions
Trial No. 417 of 2014 arising out of Pakaridayal P.S. Case No.
119 of 2013 registered under Sections 363, 366-A and 120-B/34
of the Indian Penal Code. On completion of investigation,
charge-sheet was submitted for the offences under the Indian
Penal Code as also Section 4 of the Protection of Children from
Sexual Offences Act.



The prayer for bail of the petitioners was earlier rejected by this Court vide order dated 04.11.2015 passed in Cr. Misc. No. 41939 of 2015 with a direction to the trial court to conclude the trial as early as possible, preferably within nine months from the date of receipt/production of a copy of the order, failing which the petitioners were given liberty to renew their prayer for bail before the trial court itself.

It is contended by the learned counsel for the petitioners that after lapse of nine months from the date of receipt of a copy of the order, the petitioners moved before the trial court for grant of bail, but the same has been rejected vide order dated 20.08.2016. It is further contended that similarly circumstanced other co-accused, namely, Ramesh Ram @ Rakesh Ram @ Rakesh Rai and Gajendra Ram have already been granted bail by different Benches of this court, vide orders dated 10.04.2015 and 22.06.2015 passed in Cr. Misc. Nos.565 of 2015 and 15421 of 2015 respectively. It is also contended that till date only three out of seven witnesses could be examined during trial despite the fact that the petitioners are in custody since 13th September, 2013 and charges were framed long back.

Learned counsel for the State has opposed the application for grant of bail to the petitioners.

Taking into consideration the observation made by this Court in its earlier order dated 04.11.2015 and the other attending facts and circumstances of the case, the petitioners, above named, are directed to be released on bail on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned 1st Additional Sessions Judge, Motihari in connection with Sessions Trial No. 417 of 2014 arising out of Pakaridayal P.S. Case No. 119 of 2013.

(Ashwani Kumar Singh, J.)

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