

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.41795 of 2016

Arising Out of PS.Case No. -132 Year- 2015 Thana -SUPAUL District- SUPAUL

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1. Subhash Raut @ Subhash Kumar Raut, Son of Shiv Raut, resident of Supaul Ward No. 17, Police Station & District- Supaul.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Arun

For the Opposite Party/s : Mr. Sri Gopesh Kumar

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

2 05-10-2016

The petitioner wants to renew his prayer for bail, which was earlier rejected vide order dated 19.02.2016 passed in Criminal Misc. No. 5927 of 2016, on the ground that liberty was given to the petitioner to renew his prayer for bail after examination of the victim girl during trial and now victim girl has already been examined as PW-6 and as such the petitioner now deserves sympathetic consideration because now there is no chance of tampering with prosecution evidence and further that the petitioner is suffering in custody since 7.11.2015 having no criminal antecedent.

The learned A.P.P. opposes the prayer of bail by submitting that the victim in her statement during trial has supported the prosecution version and has identified the accused.

In the facts and circumstances stated above, considering that now victim has already been examined and there is no chance of tampering with prosecution evidence, the petitioner above named is directed to be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount to the satisfaction of the Learned Additional Sessions Judge-I Supaul, in connection with Supaul P.S. Case No. 132 of 2015(POCSO 4/2016) subject to the conditions that one of the bailors must be near relative and another having sufficient immovable property within the territorial jurisdiction of the court concerned and the petitioner shall remain present on each and every date during trial and the default on two consecutive dates on his part without any reason shall disentitle the petitioner from privilege of bail.

siddharth/-

(Jitendra Mohan Sharma, J)

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