

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.19107 of 2016

Arising Out of PS.Case No. -26 Year- 2013 Thana -RAGHOPUR District- SUPAUL

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1. CHINTU KUMAR SINGH @ CHINTU KUMAR @ CHINTU SINGH
@ SINTU KUMAR @ SINTU SINGH @ AMIT SINGH @ AMIT Son of
Sri Bhushan Singh, Resident of Village - Hanuman Nagar, P.S. - Raghapur,
District - Supaul.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Naresh Chandra Verma

For the Opposite Party/s : Mr. H.A.Khan(App)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

4 09-11-2016 Heard both sides.

The petitioner seeks bail in Raghapur P.S. Case No. 26
of 2013, registered for the offences punishable under Section 376
and other Sections of the Indian Penal Code.

The petitioner is alleged to have committed rape with
the victim. Prayer for bail of the petitioner was lastly rejected on
29.07.2015 passed in Cr. Misc. No. 11320/2015 with a direction to
the trial court to conclude the trial within six months and if the
trial is not concluded within six months, the petitioner may renew
his prayer for bail. A report was called for.

It appears that the victim did not appear before the trial
court. The report of the S.P., Supaul discloses that non-bailable

warrant of arrest was handed over to ASI to arrest the victim from his native village Barojan, P.S.-Tamarhat, District-Dhubri, Assam, but the victim could not be traced out. The villagers disclosed that the victim had gone outside to earn her livelihood. The petitioner is in jail since 25.02.2013. The petitioner has already remained in jail for more than three and half years.

Considering the facts aforesaid, the petitioner above named is directed to be enlarged 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 Additional Sessions Judge 1st, Supaul in connection with Raghapur P.S. Case No. 26 of 2013, subject to the condition that the petitioner shall appear on each and every date before the trial court during course of trial. If the petitioner fails to appear before the trial court on each and every date, the trial court shall cancel the bail bond of the petitioner.

(Prabhat Kumar Jha, J.)

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