

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.20258 of 2016

Arising out of PS.Case No. -289 Year- 2013 Thana -DANAPUR District- PATNA

=====

Varun Kumar, Son of Late Rajeshwar Prasad, resident of Mohalla - Anand Bazar, Police Station - Danapur, District – Patna.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

=====

Appearance :

For the Petitioner : Mr. Raj Shekhar, Advocate.

For the Opposite Party : Mr. Kr.Virendra Narayan(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 26.08.2013 in connection with Danapur P.S. Case No. 289 of 2013 corresponding to G.R. No. 1610/2013, Sessions Trial No. 1487 of 2013/558 of 2014 for the offences instituted under Sections 366(A)/34 of the IPC.

The accusation is of kidnapping the minor daughter of the informant by the accused persons.

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. 24971 of 2015 dated 02.09.2015. 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 as the charge has already been framed in the case.

A report was called for from the trial court regarding the stage of the case. From perusal of the said report, it is evident that the case is running for the evidence of prosecution witnesses, against whom summons, B/W and even the NBW have already been issued against them but not a single witness has turned up so far. A letter has also been written to the S.S.P., Patna.

It has been submitted on behalf of the petitioner that the petitioner is in custody since 26.08.2013. The petitioner has got no criminal antecedent nor there is allegation of tempering with the evidence against the petitioner. No specific allegation has been made against the petitioner.

On behalf of the State it has been submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances of the case and from perusal of the report submitted by the trial court, it appears that lingering approach has been adopted by the prosecution in spite of all best efforts by the trial court but not a single witness has appeared for their evidence on behalf of the prosecution, 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 Vth Additional District & Sessions Judge, Danapur, Patna, in connection with Sessions Trial No. 1487 of 2013/ 558 of 2014, arising out of Danapur P.S. Case No. 289 of 2013.

U.K./-

U		T	
---	--	---	--

(Sudhir Singh, J)