

**IN THE HIGH COURT OF JUDICATURE AT PATNA**

**Criminal Appeal (SJ) No.3094 of 2017**

Arising Out of PS.Case No. -29 Year- 2017 Thana -BUNIADGANJ District- GAYA

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Rohit Kumar

.... .... Appellant/s

Versus

The State of Bihar

.... .... Respondent/s

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**Appearance :**

For the Appellant/s : Mr. Ramashish, Advocate

For the Respondent/s : Mr. Sadanand Paswan, A.P.P.

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**CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA**  
**ORAL ORDER**

2 22-11-2017

Heard.

The Petitioner seeks regular bail in connection with Buniadganj P.S.Case No. 29 of 2017 registered for offences punishable under Section 376 of the Indian Penal Code and Section 12 of Prevention of Children from Sexual Offences Act and Section 3 (i) (w) (s) of the S.C./S.T. Act.

Allegation against the petitioner is of committing rape on the informant on assurance of marriage.

Earlier the prayer of bail of the petitioner was rejected by this Court on 03.07.2017 in Cr. Appeal (SJ) No. 1705 of 2017 was rejected vide Annexure-1 with a direction to expedite the trial and conclude it as early as possible and once the informant has been examined by the Trial Court, the appellant is at liberty to renew his prayer for bail.



Submission of the learned counsel for the petitioner is that now the informant is a lady and she has been examined and her statement was recorded, as Annexure-3 but her statement has not been supported the occurrence and the petitioner is in custody since 09.03. 2017.

Heard learned A.P.P. as well as learned counsel for the informant and they have opposed for prayer for bail.

Having heard both sides and in view of the facts and circumstances, as stated above, let the petitioner, above named, be enlarged on bail on furnishing bail bond of Rs. 25,000/- ( Rupees Twenty five thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge S.C./S.T. ,Gaya in connection with Buniadganj P.S.Case no. 29 of 2017, subject to the following conditions that One of the bailors of the petitioner shall be a local person having sufficient immovable property within the jurisdiction of the concerned Court and the petitioner shall cooperate in the disposal of trial and make themselves available as and when required by the Court and on the event of failure on their part to appear before the Court below on two consecutive dates without showing any genuine reasons, the prosecution is free to move for cancellation of his bail bonds.



With the aforesaid observation, this application is  
allowed.

**(Vinod Kumar Sinha, J)**

Sudha/-

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