

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11547 of 2019

Arising Out of PS. Case No.-113 Year-2017 Thana- Maner District- Patna

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Sunny Kumar, Son of Ramadhar Ram Resident of Village – Maula, P.S. -
Maner, District - Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dhananjay Kumar

For the Opposite Party/s : Mr. Ram Priya Sharan Singh, APP

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR

ORAL ORDER

4 03-07-2019 A supplementary affidavit on behalf of the

petitioner has been filed during the course of arguments. Let

it be taken on record.

Heard the learned counsel for the petitioner and

the State.

The prayer for bail of the petitioner was earlier

rejected vide order dated 11.01.2018 passed in Cr. Misc.

No. 57608 of 2017.



It has been submitted on behalf of the petitioner that he is in custody since 16.07.2017 and there has not been any substantial progress in the trial.

This Court had earlier asked for a report about the stage of the trial. The report has since been received. The report which is dated 16.04.2019 indicates that the case is fixed for arguments and the next date in the case is 24.04.2019.

Learned counsel for the petitioner has however, submitted that several times the case was fixed for arguments but on the request and asking of the prosecution, the case has been reopened. Now, the case is pending for recording the deposition of the doctor.

Learned counsel for the petitioner has drawn the attention of this Court to the deposition of the victim in which she has categorically stated that she was not subjected to any sexual misdemeanor but only an attempt was made by the petitioner. The relationship with the petitioner, it has been averred by the victim, is not good.

It has further been submitted that he also is a



person of young age and is prosecuting his studies. Because of some dispute with his neighbour, the aforesaid case has been lodged against him with vague allegation.

Considering the nature of accusation, the period of custody, the age of the petitioner and the background facts, this Court is inclined to grant bail to the petitioner during the pendency of the trial.

The petitioner, above-named, is directed to be released on bail on his furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned 1st Additional Sessions Judge, Patna in connection with Special Case No. 42 of 2017 arising out of Maner P. S. Case No. 113 of 2017.

One of the bailors shall be the father of the petitioner. The petitioner shall participate in the trial and shall not absent himself without any plausible reason. In case the petitioner absents himself from the trial proceeding for two consecutive occasions, it would be open for the trial court to cancel the bail granted to the petitioner. The



petitioner shall not leave the territorial confines of the State
of Bihar without the permission of the trial court.

The petition stands allowed.

(Ashutosh Kumar, J)

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