

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24632 of 2019

Arising Out of PS. Case No.-52 Year-2014 Thana- JALALGARH District- Purnia

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PAPPU @ PAPPU KUMAR SAH Son of Kalachand Resident of Village -
Jahangirpur, Rahika Tola, P.S.- Jalalgarh, Distt - Purnea.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sudhir Kumar Thakur

For the Opposite Party/s : Mr.Nirmala Kumari

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

4 18-09-2019 Heard learned counsel for the petitioner as well as
learned counsel for the State.

Earlier the prayer for bail of the petitioner was dismissed vide order dated 07.07.2017 passed in Cr. Misc. No. 18577 of 2017 and again vide order dated 04.07.2018 passed in Cr. Misc. No. 38980 of 2018 and the allegation against the petitioner is of kidnapping the minor daughter of the informant and committing rape upon her and also allegation of selling her for money. It appears that in the last order, there was direction to the Superintendent of Police, Purnea to produce the victim lady in the trial court on the next date fixed so that the trial may be concluded.

Submission of learned counsel for the petitioner is that he has sufficiently been punished as he has been in judicial



custody since 05.11.2016 but the trial has not yet been concluded.

Heard learned A.P.P. and perused the explanation submitted by Superintendent of Police, Purnea, in which, he has tendered unconditional apology and stated that victim was handed over to the informant for safe custody by the learned court and for production of victim lady, several notices were issued to the informant but he did not produce the victim and, thereafter, a case was also lodged against the informant under Sections 187, 188, 201, 229(a) of the Indian Penal Code for non production of the victim girl and for disobedience of order of Hon'ble Court. Thereafter, the SHO of Jalagarh police station was asked to contact the informant and he issued notice to the informant and in reply the informant has stated that the victim has gone somewhere else and he has no knowledge about the same

Having heard both sides, considering the facts and circumstances and the nature of allegation, I am not inclined to enlarge the petitioner on bail, however, if the trial is not concluded within a period of seven months from the date of receipt of this order, petitioner will be at liberty to renew his prayer for bail before the Trial Court itself, which will be



considered by the Trial Court on the basis of materials available
on record at that time.

This application is accordingly dismissed.

(Vinod Kumar Sinha, J)

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