

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.540 of 2019

Arising Out of PS. Case No.-239 Year-2015 Thana- BARH District- Patna

GAUTAM KUMAR RAM @ GAUTAM KUMAR, Son of Lae Munna Ram,
Resident of Barh Bazar, Mohalla- Kararia, Ward No. 14, P.S.- Barh, District-
Patna.

... .. Petitioner

Versus

The State Of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr.Binoy Kumar Sinha-1, Advocate.
For the Opposite Party : Smt. Nirmala Kumari,A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

6 22-10-2019 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner seeks bail in a case for the offence
registered under Sections 366, 366(A) of the IPC and 4 of
POCSO Act.

The prosecution story, in brief, is that the petitioner
and other co-accused forcibly boarded the daughter of the
informant in four wheeler and after kidnapping her went away,
the daughter of the informant was having cash of Rs. 5,000/-
and 20 Grams gold ornaments. During investigation, the victim
girl was recovered and her statement has been recorded under
Section 164 of Cr. P.C. wherein she has alleged that the
petitioner committed illegal act with her and he left her at



Bakhtiarpur Station.

Earlier bail application of the petitioner was rejected vide Cr. Misc. No. 3476 of 2017 under order dated 23.02.2017 with a direction to conclude the trial preferably within a period of six months. Thereafter on 18.10.2017, further four months time was granted to conclude the trial but the case is pending till date.

It has been submitted by learned counsel for the petitioner that the petitioner is languishing in custody since 18.01.2016. The petitioner has got no criminal antecedent. The petitioner has falsely been implicated in the present case. Charge sheet has been submitted in the present case. There is no allegation of tampering with the witnesses alleged against the petitioner. The victim has already been recovered. The petitioner has already remained in custody for more than 3 ½ years. There is no chance of trial to be concluded in near future. The victim has already got married and she is residing in the State of Punjab.

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

Considering the aforesaid facts and circumstances, let the petitioner above named, be released on bail on furnishing



bail bonds of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge-Ist, Patna, in connection with Barh P.S. Case No. 239 of 2015, Special (POCSO) Case No. 86 of 2016.

(Sudhir Singh, J)

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