

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42033 of 2019

Arising Out of PS. Case No.-195 Year-2013 Thana- MAHNAR District- Vaishali

Prem Chandra Ram @ Prem Chand Ram @ Prem Chand Rai Son of Late
Gena Ram Resident of Village-Rupsipur, P.S.-Mahnar, District-Vaishali.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Yugal Kishore, Adv.

For the Opposite Party : Mr. Ajay Kumar Jha, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA**

ORAL ORDER

3 12-06-2020 Heard learned counsel for the petitioner as well as
learned Additional Public Prosecutor for the State through video
conferencing.

Petitioner seeks bail in a case registered for the
offences punishable under Section 376 of the I.P.C. and Sections
4/6 of POCSO Act.

Earlier the bail prayer of the petitioner was rejected by
this court vide order dated 18.04.2016 passed in Cr. Misc. No.
15277 of 2016 but submission on behalf of the petitioner is that
petitioner got paralytic attack while in jail custody and



petitioner is unable to do his day to day work which is fortified by the report sent by Medical Officer, District Jail, Hajipur.

The record goes to show that this court called for a report about the present position of trial from the learned trial court and in compliance of order of this court, the learned Additional Sessions Judge-I, Vaishali at Hajipur vide his letter no. 47/2020 dated 07.03.2020 reported that altogether ten witnesses have already been examined but he did not mention in his report as to how many prosecution witnesses have been left to be examined. Moreover, the Medical Officer, District Jail, Hajipur vide his report dated 07.03.2020 reported to Jail Superintendent, Hajipur that petitioner is suffering from paralysis and he is unable to do his day to day work. Petitioner is in jail custody since 16.12.2013 but up till now, his trial could not be concluded.

Considering the aforesaid facts and circumstances as well as submissions of the parties, particularly, keeping in mind the deteriorating health of the petitioner, the petitioner, above named, is directed to 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 learned Additional Sessions Judge-1st cum Special Judge, Vaishali at Hajipur in



connection with Mahnar P.S. Case No. 195 of 2013, G.R. No.
5571 of 2013.

(Hemant Kumar Srivastava, J)

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