

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.12970 of 2021**

Arising Out of PS. Case No.-55 Year-2020 Thana- SAHARSA SADAR District- Saharsa

ANIL RAM @ ANIL KUMAR SON OF BECHAN RAM R/o village-
Bijalpur, Ward no.- 05, P.S.- Bihra, Distt.- Saharsa, at Present H/O- Nana
Musahru Ram, R/o village- Hakpara, P.S.- Sadar, Distt.- Saharsa

... .. Petitioner

Versus

THE STATE OF BIHAR

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Bhim Kumar Yadav, Advocate

For the Opposite Party/s : Mr. Akhileshwar Dayal, APP

**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER**

4 02-09-2021 Heard learned counsel for the petitioner and Mr.
Akhileshwar Dayal, learned A.P.P. for the State.

Petitioner in the present case is seeking regular bail in connection with Saharsa Sadar P.S. Case No. 55 of 2020 registered for the offences punishable under Section 307 of the Indian Penal Code, Section 27 of the Arms Act and Section 8 of the Protection of Children from Sexual Offences (POCSO) Act. He is in custody since 24.02.2020.

Learned counsel for the petitioner submits that although in the First Information Report there is a direct allegation that this petitioner had fired upon the victim girl causing injuries to her which are grievous in nature but the victim girl has not stated as to why this petitioner would fire

upon her.

It is further submitted that petitioner is in custody since 24.02.2020, therefore, he may be released on bail.

On the other hand, Mr. Akhileshwar Dayal, learned A.P.P. for the State has opposed the prayer for bail of the petitioner. It is submitted that in course of investigation it has come that this petitioner was on many occasions trying to harass the victim girl, victim girl is aged about sixteen years only and this petitioner is the sole assailant, the injury report shows that she has suffered entry wound at upper chest. The bullet was found in its axilla posterior and multiple splinter marks were noticed on the face. The injuries are fire-arm injuries and these are grievous in nature.

Considering the facts and circumstances of the case wherein a minor girl has been assaulted and has suffered grievous injuries on her body, the petitioner is the sole assailant, this Court is not inclined to release the petitioner on bail at this stage. Let the trial be expedited.

The trial court shall take all endeavours to conclude the trial within a period of nine months from the date of communication of this order. The prosecution must cooperate by producing all the witnesses on the date fixed in the matter.

If the trial still remains unconcluded for no reason attributable to the petitioner, he may renew his prayer for bail.

This application stands disposed of accordingly.

(Rajeev Ranjan Prasad, J)

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.