

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.18845 of 2021**

Arising Out of PS. Case No.-25 Year-2019 Thana- MAHILA P.S. District- Purnia

Md. Tausif @ Tausif @ Md. Tausif Alam S/o Safik @ Md. Safik Mirza  
Resident of Village- Milki, P.S.- Maranga, District- Purnea.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. N.K.Agrawal, Sr.Adv.

Mr. Sanjay Kumar Singh

For the Opposite Party/s : Smt.Sucheta Yadav

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH**  
**ORAL ORDER**

3. 24-08-2021 Heard learned counsel for the parties through video conferencing.

This is 2<sup>nd</sup> attempt for grant of bail on behalf of petitioner. Earlier, the bail petition of petitioner was rejected, vide order dated 19.03.2020 passed in Cr.Misc. No. 86229 of 2019.

On last occasion, vide order dated 09.07.2021, a report regarding present stage of the trial was called for, which has been received and kept at flag 'R'. From perusal of the same, it appears that even after issuance of summons, not a single witness has appeared for their deposition before the trial court and the case is still running for evidence of witnesses.

It is submitted by learned counsel for the petitioner that even after framing of charge on 06.02.2020, not a single witness, including informant-cum-victim, has been



examined and petitioner is in custody since 04.07.2019 i.e. more than two years.

Considering the fact that there is no progress in the trial and petitioner is in custody for more than two years, the bail petition of petitioner is allowed. Let the above named petitioner be released on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned VI<sup>th</sup> A.D.J., Purnea in connection with Special (POCSO) Case No. 37 of 2019 (arising out of Mahila P.S. Case No. 25 of 2019), on the following conditions:

“(1) Petitioner shall cooperate in the trial and shall be properly represented on each and every date fixed by the court below and shall remain physically present, as directed by the court below, and on his absence on two consecutive dates without sufficient reason, his bail-bond shall be cancelled by the court below.

(2) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.”

**(Prabhat Kumar Singh, J.)**

anay

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|

