

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30152 of 2021**

Arising Out of PS. Case No.-224 Year-2018 Thana- SAKRA District- Muzaffarpur

Suresh Rai @ Suresh Ram Son of Late Hitu Rai @ Hoto Rai Resident of
Village - Sabaha, P.S.- Sakra, District - Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manoj Kumar Manoj

For the Opposite Party/s : Mr.Uday Pratap Singh

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

2. 12-08-2021 Heard learned counsel for the parties through video conferencing.

This is 2nd attempt for grant of bail on behalf of petitioner in Sakra P.S. Case No. 224 of 2018, registered for the offence under Sections 363, 376G, 307, 34 of the Indian Penal Code and Sections 3 / 4 of the POCSO Act.

Earlier, the bail petitioner of petitioner was rejected, vide order dated 20.12.2018 passed in Cr.Misc. No. 67723 of 2018 with following observation:

“...learned trial court is directed to expedite the trial and try to conclude it withing a period of seven months. If trial is not concluded within the said period, petitioner may renew his prayer for bail.”

It is submitted in paragraph – 11 of the bail petition by learned counsel for the petitioner that even after lapse of two



years, till date, the trial has not been concluded and petitioner is in custody since 03.06.2018.

Learned A.P.P. for the State has opposed the bail petition.

Considering the period of custody and observation of this Court, 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 6th Addl. Sessions Judge-cum-Spl. Judge, POCSO Act, Muzaffarpur in connection with Sakra P.S. Case No. 224 of 2018, Trial No. 78 of 2018, 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.)

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