

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27241 of 2020

Arising Out of PS. Case No.-51 Year-2017 Thana- ANGARGHAT District- Samastipur

Suman Rai @ Sonu Rai Son of Dinesh Rai Resident of Village - Pandh,
Basadhia, P.S. Dalsingsarai, Distt. - Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mukesh Kumar No.1, Advocate
For the Opposite Party/s : Mr. APP

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

3 10-02-2021 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner is languishing in custody for the offences punishable under Sections 376/458/34 of the Indian Penal Code.

Allegation against the petitioner is of commission of rape against a minor girl. Petitioner is in custody since 11.07.2017.

In the past prayer for bail was twice refused on 08.05.2018 and thereafter on 31.07.2019. The last refusal was with liberty to renew the prayer if the trial is not concluded within the time frame.

The report of the trial Judge dated 23.11.2020 reveals that the trial is still pending.



Learned counsel for the petitioner submits that at present the case is pending before the vacant Court.

The Sessions Judge, Samastipur, is directed to transfer Sessions Trial No.385 of 2018, arising out of Angarghat P.S. Case No.51 of 2017, to any functional Court if the case is still pending in a vacant Court.

Considering the period already undergone by the petitioner and undertaking to cooperate the trial, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.20,000/- (Twenty Thousand) with two sureties of the like amount each to the satisfaction of the learned Court-below where the case is pending in connection with Angarthat P.S. Case No.51 of 2017, with following conditions:

(a) Both the bailors shall be the resident of territorial jurisdiction of the learned Court-below.

(b) The petitioner shall fully cooperate with the trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the petitioner.

(c) The petitioner shall not leave the country without permission of the trial Court.

(Birendra Kumar, J)

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