

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41377 of 2021

Arising Out of PS. Case No.-130 Year-2020 Thana- RUNISAIDPUR District- Sitamarhi

BHOLA SAH @ RAM ASHISH SAH @ RAMASHISH SAH Son of Ram
Briksh Sah Resident of Village- Thumma, P.S.- Runni Saidpur, District-
Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Vaidehi Raman Prasad Singh
For the informant	:	Mr. Devendra Kumar
For the Opposite Party/s	:	Mr.Hans Lal Kumar
		Mr. Shyameshwar Dayal

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

6 25-04-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

Let the defect(s), if any, be removed within two
weeks of the complete start of the physical Court in normal
course.

The petitioner, who is in custody since 21.04.2021
seeks bail in connection with Runni Saidpur P.S. Case No. 130
of 2020, registered for the offence punishable under Sections
147, 341, 323, 324, 354(B) and 307 of the Indian Penal Code
and Section 8 of the POCSO Act, pending in the Court of
learned Addl. Sessions Judge-VI-cum-Special Judge, POCSO
Act, Sitamarhi.

Sri Vaidehi Raman Prasad Singh, learned Senior



Counsel appearing on behalf of petitioner submits that considering the stage of the trial and the fact that both the victims having become hostile, it would appear from the depositions of victims Renu Kumari and Lalita Kumari in which they have not supported the allegations made against the petitioner in F.I.R. The petitioner has made out a case to be released on bail. The petitioner has clean antecedent and he is in custody since 21.04.2021.

Sri Devendra Kumar, learned counsel appearing on behalf of informant submits that the petitioner has assaulted the informant with lethal weapon as a result of which the informant had sustained grievous injury on his body. The petitioner has resorted to tamper the witness and the informant. Entire family members of the informant are at risk of life, if the petitioner is directed to be released on bail.

Learned A.P.P. for the State vehemently opposed the prayer for grant of bail to the petitioner.

Considering the facts and circumstances of the case and the nature of allegation made against the petitioner as well as the injury sustained by the informant, which is grievous in nature, the trial has proceeded considerably and the two victims have also been examined. Considering the serious nature of



allegation and stage of the trial, I am not inclined to enlarge the petitioner on bail, at this stage. Accordingly, the prayer for grant of regular bail is **rejected**.

However, the learned trial Court is directed to conclude the trial expeditiously, well within a period of four months.

The Superintendent of Police, Sitamarhi is directed ensure the presence of all the prosecution witnesses before the trial Court on the date fixed without fail.

(Purnendu Singh, J)

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