

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40319 of 2021

Arising Out of PS. Case No.-175 Year-2017 Thana- NAUBATPUR District- Patna

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DILEEP KUMAR @ DILIP RAI S/o Vijendra Rai @ Bijendra Rai R/o
village- Gopalpur, P.S.- Naubatpur, District- Patna

... .. Petitioner/s

Versus

1. The State of Bihar
2. Krishna Ravidas, s/o Devchand Das, R/o village- Gopalpur, P.S.-
Naubatpur, PO-Naubatpur, District- Patna

... .. Opposite Party/s

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Appearance :

For the Petitioner/s :	Mr. Manoj Kumar Singh, Advocate
For the Opposite Party/s :	Mr. Binay Krishna, APP
	Ms. Usha Kumari Singh, Advocate
	Mr. Anil Kr. Sharma, Advocate
	Mr. Bishwajeet Pandey, Advocate
	Mr. Jainendra Kumar, Advocate

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

6 19-01-2022 The matter has been taken up for online hearing through video conference because of COVID-19 pandemic restrictions.

Heard learned counsel for the petitioner, learned Additional Public Prosecutor for the State and learned counsel appearing on behalf of the informant.

This application for regular bail arises out of Naubatpur P.S. Case No. 175 of 2017, disclosing offence punishable under Sections 363, 366-A, 376/34 of the Indian Penal Code, Sections 4/8 of POCSO Act and Sections 3(i)(w) of the SC/ ST Act.



The petitioner is in custody since 27.07.2017. The petitioner's prayer for regular bail was earlier rejected by this Court twice. Firstly, by an order dated 13.03.2019, passed in Cr. Misc. No. 15454 of 2019 and subsequently by another order dated 02.07.2020, passed in Cr. Misc. No. 75672 of 2019. The FIR registered by the father of the victim discloses kidnapping of the victim girl. It is the petitioner's contention that he has remained in custody for nearly 4 ½ years without trial.

A report was called for from the court below in the present case as regards present stage of the trial. A report has been received from which it appears that no prosecution witness has been examined so far though charge has been framed.

In view of the aforesaid and the statement made in paragraph 3 of the application that the petitioner has no criminal antecedent, this application is allowed. Let the petitioner, above-named, be released on bail on furnishing bail bonds of Rs. 10,000/-(ten thousand), with two sureties of the like amount, each to the satisfaction of learned Additional Sessions Judge-VII, Patna in Naubatpur P.S. Case No. 175 of 2017.

(Chakradhari Sharan Singh, J)

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