

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72218 of 2021

Arising Out of PS. Case No.-182 Year-2019 Thana- HISUWA District- Nawada

SONU RAJBANSHI Son of Late Mundrika Rajbanshi Resident of Village-
Modi Bigha, P.S.- Hisua, District- Nawada.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Birendra Kumar, Adv

For the Opposite Party/s : Mr. Md. Mushtaque Alam, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

3 09-02-2022 Heard Mr. Birendra Kumar, learned counsel for the
petitioner and Mr. Md. Mushtaque Alam, learned APP for the
State *via* video conferencing.

Petitioner has renewed his prayer for bail inasmuch as
earlier bail application of the petitioner was rejected by this
Court on 05.11.2020 in Cr. Misc. No. 23053/2020 giving him
liberty to renew his prayer for bail after one year if the trial
does not show any progress.

The allegation as per the First Information Report is
that the petitioner along with other accused persons has
committed rape and murder of the grand daughter of the
informant.

Learned counsel for the petitioner submits that while
rejecting the prayer for bail of the petitioner, this Court had
granted liberty to the petitioner to renew his prayer for bail after



one year if the trial does not show any progress. He further submits that except confessional statement there is no material against the petitioner to connect him in the present offence and referring to Annexure-4 of this application, learned counsel submits that Co-ordinate Bench of this Court has granted bail to the exact similarly situated accused persons in Cr. Misc. No. 30536/2020 in his second attempt for bail.

He further submits that the petitioner is in custody since 26.11.2019 and the trial has not yet been concluded.

On the other hand, learned counsel for the informant submits that out of nine, five witnesses have already been examined and only four witnesses are yet to be examined. As such, petitioner does not deserve bail at this stage.

Regards being had to the submissions made by the parties and taking into consideration the fact that similarly situated person has been granted bail by a Co-ordinate Bench of this Court in his second attempt and the petitioner is in custody for more than two years i.e., since 26.11.2019, I am inclined to grant regular bail to the petitioner.

Accordingly, let the petitioner, namely, SONU RAJBANSHI 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 6th Additional Sessions Judge-cum-Special Judge, POCSO Act, Nawada in connection with Special Case No. 28/2019 arising out of Hisua PS Case No. 182/2019 subject to the condition that petitioner will be well represented on each and every date in the trial and if he fails to do so on two consecutive dates, his bail bonds will be liable to be cancelled.

(Anil Kumar Sinha, J)

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