

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27868 of 2023

Arising Out of PS. Case No.-130 Year-2021 Thana- MAHNAR District- Vaishali

Ranjit Kumar @ Ranjit Das, Son of Arjun Das R/V- Bishanpur Gausi, PS-
Mahnar, Dist- Vaishali at Hajipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Suraj Kumar Tiwari, Advocate

For the Opposite Party/s : Dr. Indihar Kumari, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 26-04-2023 Learned counsel for the petitioner is permitted to
remove the defect(s), if any, as pointed out by the office, within
a period of four weeks from today.

Heard Mr. Suraj Kumar Tiwari, learned counsel for
the petitioner and learned Additional Public Prosecutor for the
State.

This is the second attempt wherein the petitioner is
renewing his prayer for bail in connection with Mahnar P.S.
Case No. 130 of 2021, registered for the offences punishable
under Sections 341, 342, 354(A) of the Indian Penal Code and
Sections 8 and 11 of the Protection of Children from Sexual
Offences Act.

Earlier the prayer for bail of the petitioner was turned
down after taking into consideration the fact that the victim,



who is aged about 11 years, has supported the prosecution case and made specific allegation against the petitioner in her statement recorded under Section 164 Cr.P.C.

While rejecting the prayer for bail of the petitioner, direction was given to the learned trial court to take all necessary measures to conclude the trial within a period of six months, failing which the liberty was granted to the petitioner to renew his prayer for bail.

It is submitted on behalf of learned counsel for the petitioner that despite specific direction of this Court, till date save and except the victim, no other witnesses have been examined and the petitioner is behind bar for over a period of two years. He next submits that even as per the mandate of Section 35(2) of the POSCO Act, the trial is required to be concluded within a period of one year from the date of order taking cognizance, however, cognizance was taken on 29.06.2021 but till date there is no substantive progress.

On the other hand, learned APP for the State opposed the bail application and submits that there is no overwhelming circumstances warranting any re-consideration, as the prayer of the petitioner has already been rejected on merits.

Regard being had to the submissions made on behalf



of the parties and considering the observations made by this Court as also the mandate of Section 35(2) of the POSCO Act, let the petitioner, abovenamed, be released on bail on furnishing bail bonds of Rs. 20,000/- (Rupees twenty thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special POSCO-cum-Children Court-cum-ADJ-VI, Vaishali at Hajipur in connection with Mahnar P.S. Case No. 130 of 2021, subject to the condition that one of the bailors will be the close relative of the petitioner with further conditions which are as follows:-

(i) The petitioner will cooperate in conclusion of the trial.

(ii) He will remain present on each and every date of trial till disposal of the case.

(iii) He will not try to tamper with the evidence or intimidate the witnesses to delay the disposal of trial.

(iv) In the event of default of two consecutive dates without any cogent reason, his bail bonds will liable to be cancelled.

(v) The court below shall verify the criminal antecedent of the petitioner and in case, at any stage, it is found that the petitioner has concealed his criminal antecedent, the



court below shall take immediate step for cancelling the bail bond of the petitioner. However, the acceptance of bail bonds, in terms of the above-mentioned order, shall not be delayed for this purpose or in the name of verification.

(Harish Kumar, J)

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