

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28561 of 2023

Arising Out of PS. Case No.-560 Year-2015 Thana- KADAMKUAN District- Patna

RAJEEV KUMAR @ RAJEEV GHOSH @ APPU S/o Late Manoranjan
Ghosh R/o Nand Nagar Colony, P.S.-Bahadurpur, Dist.-Patna

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Saket Anand, Advocate

For the Opposite Party/s : Mr.Sanjay Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 08-09-2023 Heard learned counsel for the petitioner and learned APP
for the State.

The petitioner seeks bail in Kadamkuan P.S. case No.
560/15 instituted for the offence under Section 376(D) of the Indian
Penal Code.

The earlier bail applications of the petitioner were rejected
vide Annexure- 1 series to the present application taking into
account that the victim had supported the prosecution case in her
statement recorded under Section 164 Cr.P.C. and further the medical
evidence also supported the allegation.

On behalf of the petitioner, it has been submitted that the
petitioner is in custody since 20.11.2015 and he has remained in
custody for more than 7 and a half years and there is no chance of
trial being concluded in near future.

The Trial Court was given direction twice to conclude the



trial within the stipulated period vide order dated 18.05.2018 passed in Cr. Misc. No. 4276 of 2018 and vide order dated 24.07.2019 passed in Cr. Misc. No. 9547 of 2019.

A report was called for from the Trial Court regarding the stage of the case. It has been reported that still one witness has to be examined in this case.

Considering the fact that the petitioner has remained in custody for more than 7 and a half years and still the prosecution has to examine witness and further there is no chance of trial being concluded in near future, it is directed that 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-1, Patna Sadar in connection with Kadamkuan P.S. case No. 560/15, Sessions Trial No. 423 of 2016 with the condition that the petitioner shall be present on each and every date fixed in the trial and in case of failure on two consecutive dates, the Trial Court will be at liberty to cancel the bail bond of the petitioner.

(Sudhir Singh, J)

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