

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43964 of 2023

Arising Out of PS. Case No.-202 Year-2018 Thana- SACHIVALAYA District- Patna

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Ramu Kumar @ Dinesh Kumar Son of Jai Nandan Tanti Resident of Mohalla
- Rajputana, P.S.- Gardanibagh, District - Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shyamal Prakash

For the Opposite Party/s : Mr. Akshay Lal Pandit

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CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

2 25-08-2023 Heard Ld. counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in connection with Sachiwalay P.S. Case No. 202 of 2018, registered for the offences punishable under Sections 366 (A), 504 and 506 of the Indian Penal Code.

3. The prosecution case as emerging from the FIR is that the alleged victim, who is 13-14 years old, was enticed away by the accused-petitioner with intent to marry. The alleged victim has also supported the prosecution case in her statement under Section 164 Cr.P.C. in which she has also alleged that she was sexually assaulted by the accused-petitioner.

4. Ld. counsel for the petitioner submits that the petitioner had moved this Court earlier for regular bail vide Cr.



Misc. No. 3132 of 2022, which was rejected with an observation that if the trial is not concluded within six months, the petitioner is at liberty to renew his prayer for bail. He further submits that since the trial has not been concluded in the stipulated time, the petitioner, vide present application, has renewed his prayer for bail.

5. He further submits that in support of his petition, he has filed a copy of the order-sheet of the Trial Court saying that the case is at the stage of framing of charge.

6. Considering the aforesaid facts and circumstances, particularly the fact that the trial has not yet been concluded, **this application is allowed**, directing the petitioner, above-named, to be enlarged on bail on his furnishing bail bond in the sum of Rs. 10,000 /- (Ten Thousand) with two sureties of the like amount each to the satisfaction of concerned Court Below/Trial Court in connection with Sachiwalay P.S. Case No. 202 of 2018 on the following conditions:

(i) The petitioner will make himself available for interrogation by a police officer/court as and when required.

(ii) The petitioner will undertake that investigation/trial will not hamper on account of his absence or non-cooperation. He must be available to the police or the



court whenever his presence is required.

(iii) The petitioner shall not, directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the court or to any police officer.

(iv) In case, it is brought to the notice of the court below that the petitioner has any criminal antecedent, Ld. court below shall cancel the bail bond of the petitioner after hearing him and getting satisfied that the petitioner has concealed his criminal antecedent despite his knowledge of the same.

(v) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, Ld. Court below shall cancel the bail bond of the petitioner.

7. Ld. counsel for the petitioner is directed to remove all the defects pointed out by the office within a period of one month and the Registry is directed to issue the certified copy of this order only after removal of office



objections.

(Jitendra Kumar, J)

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