

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7500 of 2024

Arising Out of PS. Case No.-312 Year-2017 Thana- BATHNAHA District- Sitamarhi

1. Ram Jatan Sada Son Of Late Devki Sada Resident Of Village- Rupauli, Ps- Bathnaha, Dist- Sitamarhi
2. Ram Bharosh Sada Son Of Ram Jatan Sada Resident Of Village- Rupauli, Ps- Bathnaha, Dist- Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anil Kumar, Advocate

For the State : Mr. Surendra Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

3 16-04-2024 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners seek bail in connection with Bathnaha P.S. Case No. 312 of 2017 registered for the offence under Sections 363/366A/34 of the Indian Penal Code.

3. As per the prosecution case, the allegation is of kidnapping the victim and the victim girl in her statement has said that she was kept for 20 days in Sheohar by the accused persons.

4. The victim girl has not alleged for any sexual act done against her and she has only alleged that the accused persons wanted to sell her.



5. The petitioners are in jail since 24.01.2023.

6. Learned counsel for the petitioners submits that the trial is being delayed and no witnesses have been examined though, charge has been framed only. He also submits that the petitioners are implicated in this case because of previous enmity.

7. Learned counsel for the petitioners further submits that the right of the petitioners of speedy trial is also being violated.

8. Considering the period of custody and the fact that the accused persons have not sexually assaulted the victim, this application is allowed.

9. Let the petitioners, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Sitamarhi in connection with Bathnaha P.S. Case No. 312 of 2017.

10. As a condition of this order, the bailor should be the mother of the petitioners.

11. As a condition of this order, the petitioners, after being released on bail are directed to co-operate in the trial either by appearing personally or through their lawyer in the



trial Court on each and every date fixed by the trial Court. Non-compliance of the condition will result in cancellation of the bail bonds of the petitioners.

(Sandeep Kumar, J)

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