

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31285 of 2024

Arising Out of PS. Case No.-61 Year-2021 Thana- MAHILA P.S. District- Samastipur

Ram Babu Yadav @ Rambabu Yadav son of Upendra Yadav Resident of Vill.-
Lakshminiya Ward No. 13, P.S.- Singhiya, District.- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mrs. Archana Shahi, Advocate
		Mr. Kedar Jha, Advocate
For the Opposite Party/s	:	Mr. Rajendra Prasad Nat, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 03-05-2024

1. Heard learned counsel for the parties.

2. The petitioner has renewed his prayer for grant of regular bail in connection with Sessions Trial no.724 of 2023, arising out of Mahila P.S Case no. 61 of 2021 registered under sections 376, 452 and 506 of the Indian Penal Code and section 27 of the Arms Act.

3. As per the prosecution case, the informant states that on the point of pistol her neighbour, the petitioner herein committed rape on her.

4. Learned counsel for the petitioner submits that the earlier application for bail of the petitioner was rejected vide order dated 19.3.2024 (Annexure-1) passed in Cr. Misc. no.736 of 2024 giving liberty to the petitioner to renew his prayer for bail after framing of charge. The petitioner is in custody since 18.8.2023 and



charge has been framed in the learned trial Court on 27.3.2024 which would be evident from the certified copy of the ordersheet of Sessions Trial no. 724 of 2023 brought on record as Annexure-3 to this petition. The petitioner undertakes to cooperate in the trial and to abide by all the conditions which may be laid by this Court for his release on bail.

5. The prayer for bail is opposed by learned A.P.P for the State.

6. Having heard learned counsel for the parties and taking into consideration the allegations in the F.I.R, liberty granted in the earlier order of rejection dated 19.3.2024, charge having been framed against petitioner vide order dated 27.3.2024 in Sessions Trial no. 724 of 2023, the petitioner is directed to be enlarged on bail in connection with Sessions Trial no.724 of 2023 (arising out of Mahila P.S Case no. 61 of 2021) on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge-I, Samastipur on the following conditions :-

(I) The petitioner shall remain physically present in the learned trial Court on each date and shall cooperate in the trial.

(II) In case the petitioner remains absent on any



single date for reasons not to the satisfaction of the learned trial Court or the learned trial Court is of the opinion that the trial is being delayed due to non-cooperation on part of the petitioner, the learned trial Court may cancel bail bond of the petitioner and take him into custody till conclusion of the trial.

(Partha Sarthy, J)

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