

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43842 of 2024

Arising Out of PS. Case No.-128 Year-2023 Thana- BHAWANIPUR District- Purnia

RANJIT KUMAR SON OF ANIL MANDAL R/o VILLAGE- BHITTHA,
P.S.- BHAWANIPUR, DISTT.- PURNIA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manoj Kumar Jha, Advocate
For the Opposite Party/s : Ms. Rita Verma, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 09-08-2024

1. Heard learned counsel for the parties.

2. The petitioner has renewed his prayer for bail in connection with Sessions Trial no.635 of 2023 (arising out of Bhawanipur (Akbarpur) P.S. Case no.128 of 2023) registered under sections 376, 354B, 313, 323 and 34 of the Indian Penal Code.

3. As per the prosecution case, the informant states that while she was alone at home, the petitioner entered her house and on the point of knife committed rape on her.

4. Learned counsel for the petitioner submits that the earlier prayer for bail of the petitioner was rejected vide order dated 17.10.2023 passed in Cr. Misc. no.66908 of 2023. In spite of the petitioner being in custody since 26.6.2023, the trial has not proceeded and only two witnesses have been examined though charge was framed as far back as on 12.1.2024. The



petitioner undertakes to cooperate in the case and to abide by all the conditions which may be laid by this Court for his release on bail.

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

6. A report was called for from the learned trial Court. As per the report received, contained in letter dated 25.7.2024 of the 1st Additional Sessions Judge, Purnea, out of the eleven prosecution witnesses, two witnesses have been examined on 8.2.2024 and 27.2.2024.

7. Having heard learned counsel for the parties and having perused the material on record, the nature of allegation against the petitioner together with the trial having proceeded in the learned trial Court, the Court is not inclined to enlarge the petitioner on bail and the application is rejected.

8. Liberty is granted to the petitioner to renew his prayer for bail after examination of the victim in course of trial or in case of inordinate delay in the trial.

(Partha Sarthy, J)

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