

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46638 of 2024

Arising Out of PS. Case No.-34 Year-2022 Thana- SUHAIL District- Gaya

Sonu Bharti @ Sonu Bhuiyan Son of Rambali Bhuiyan VILLAGE- SEWTI
TOLA, NOKHILA, P.S.- SUHAIL, DISTT.- GAYA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 58976 of 2024

Arising Out of PS. Case No.-34 Year-2022 Thana- SUHAIL District- Gaya

Randhir Bhuiyan @ Randhir Bharati son of Late Randhu Bhuiyan Village-
Sevti Tola, Nokhila, Ps- Suhail, Dist- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 46638 of 2024)

For the Petitioner/s : Mr. Md. Javed Jafar Khan, Adv.

For the Opposite Party/s : Mr. Ram Sumiran Rai, APP

(In CRIMINAL MISCELLANEOUS No. 58976 of 2024)

For the Petitioner/s : Mr. Md. Javed Jafar Khan, Adv.

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

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

3 13-09-2024 Heard the parties.

2. The petitioners are in judicial custody in connection with Suhail PS. Case No. 34 of 2022 instituted under Sections 341, 342, 504, 506 and 376DA/34 of the L.P.C. read with Section 4/6 of POCSO Act lodged on 06.11.2022 by the informant Bhagwaniya Devi.

3. Earlier the bail application of the two petitioners along with Akhilesh Bhuiyan was rejected in Cr. Misc. No. 73576 of 2022 (Annexure-1 to the petition). Later, one of them (Akhilesh Bhuiyan) moved this Court and the relief was granted



to him in Cr. Misc. No. 86469 of 2022.

4. This followed the two petitioners following suit.

5. A report was called for which has since been received by letter no. 275 dated 09.08.2024, according to which, Akhilesh Bhuiyan who was granted bail chose to disappear from the Court and as a result whereof out of nine witnesses, four witnesses were examined including the victim, the Doctor due to his disappearance, the trial stalled.

6. This is a serious issue. Three accused persons' bail application was rejected, one later procured bail and thereafter, chose to disappear from the trial.

7. In that background, it would be appropriate that the Trial Court immediately bifurcate the cases of the two petitioners with that of Akhilesh Bhuiyan and proceed and conclude it in the shortest period of time, preferably within a period of six months from today.

8. Needless to say, the two bail applications are rejected.

(Rajiv Roy, J)

Vijay Singh/-

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