

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71177 of 2024

Arising Out of PS. Case No.-310 Year-2020 Thana- MANER District- Patna

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Pintu Uraon Son of Pradip Uraon @ Budhwa Oraon Resident of Village-
Khatpi Birpi (Bitpi), P.S.- Bhandara, Distt.- Lohardagga (Jharkhand) at
present residing at Byapur Sona Brick Kiln, P.S.- Maner, Distt.- Patna (Bihar)

... .. Petitioner/s

Versus

1. The State of Bihar
2. Amrita Kumari, Daughter of Akhilesh Yadav, Resident of Village- Bijapur
Gol Gumbaj, P.S- Sahebganj, District- Sahebganj (Jharkhand)

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Uday Kumar, Advocate
For the Opposite Party/s : Dr. Mrityunjaya Kr. Gautam, APP

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 22-11-2024

1. Heard learned counsel for the parties.

2. The petitioner has renewed his prayer for grant of
regular bail in connection with Special (POCSO) Case no. 117
of 2020, arising out of Maner P.S Case no. 310 of 2020
registered under sections 376DA, 323, 341, 342, 417 and 120B
of the Indian Penal Code and sections 4 and 6 of the POCSO
Act.

3. As per the prosecution case, the accused persons
including the petitioner herein are said to have committed rape
on the informant.



4. Learned counsel for the petitioner submits that the earlier application for bail of the petitioner was rejected vide order dated 29.2.2024 (Annexure-1) passed in Cr. Misc. no.76939 of 2023. The petitioner has been falsely implicated in the case. All the other co-accused have been enlarged on bail vide orders dated 16.12.2022, 16.5.2023 and 23.8.2023 (Annexure-4 series). The petitioner undertakes to cooperate in the trial and to abide by all the conditions which may be laid down for his release on bail.

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

6. A report was called for from the learned trial Court. As per the report received contained in letter dated 14.11.2024, out of the nine chargesheet witnesses, three witnesses including the victim have been examined. The report further states that two of the accused have left *pairavi* and their bail bonds have been cancelled. The process under section 83 Cr.P.C has been issued for their appearance.

7. Having heard learned counsel for the parties and taking into consideration the allegations against the petitioner in the FIR and the contents of the report of the learned trial Court according to which two of the accused granted bail vide



aforesaid orders have absconded, the Court is not inclined to
enlarge the petitioner on bail and the application is rejected.

8. The learned trial Court is directed to split the trial
of the accused who have absconded and to expedite the disposal
of the trial of the petitioner.

(Partha Sarthy, J)

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