

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81147 of 2023

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

Balwant Gil @ Bali Ram Singh @ Balwant Singh @ Balwant Singh Son Of
Ram Raj Singh Resident Of Village - Goraipur, P.S.- Awatar Nagar, District -
Saran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Sunil Kumar Singh, Advocate Ms. Mandira Sau, Advocate Ms. Shyamli Kumari, Advocate
For the Opposite Party/s	:	Mr. Binod Kumar No.3, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

9 08-07-2024 1. Heard learned counsel for the petitioner and the
learned APP for the State.

2. Petitioner seeks regular bail in connection with
Mahila P.S. Case No. 61 of 2021 dated 02.08.2021 registered for
the offence punishable under Sections 376(2)(cha), 506 of the
Indian Penal Code and 4/6 of the POCSO Act.

3. Mr. Sunil Kumar Singh, Learned counsel for the
petitioner submits that the petitioner earlier preferred Cr. Misc.
No. 31606 of 2022 for the relief of regular bail which was
rejected by this Bench vide order dated 28.09.2022 and the fresh
grounds taken by the petitioner are his custody period which has
been about two years and ten months and the examination of



the victim before trial court including three other material witnesses in the trial of the petitioner.

4. Nobody appears on behalf of the victim despite a notice having been issued to the victim's mother through C.J.M., Saran.

5. Mr. Binod Kumar No. 3, learned APP appearing for the State has opposed the bail prayer.

6. Heard both the sides and perused the materials available before this court. Though, there is serious allegation against this petitioner but he has spent two years and ten months in jail and the material witnesses including the victim have been examined in the trial, so considering this aspect, the petitioner now deserves to a lenient approach of this court. Accordingly, let the petitioner named-above be released on bail on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of the concerned Court in connection with Mahila P.S. Case no 61 of 2021 with following condition:-

The petitioner shall not reside with the victim, who is said to be his daughter, during pendency of the trial of his case. If he violates the said condition, then the victim or her mother will



have a liberty to move before the trial court for
cancellation of the bail of the petitioner.

(Shailendra Singh, J)

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