

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4757 of 2024

Arising Out of PS. Case No.-167 Year-2022 Thana- FORBESGANJ District- Araria

MD. PAPPU S/O MD. ILAHI @ MOHAMMAD VILLAGE- RAMPUR,
WARD NO. 4, PS.- FORBESGANJ, DIST.- ARARIA.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vijay Kishore Bharti, Adv.
For the Opposite Party/s : Mr.Shailendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 09-02-2024 1. Heard learned counsel for the petitioner and
learned APP for the State.

2. Petitioner seeks regular bail in connection with
Special (POCSO) Case No. 10 of 2022 arising out of Forbesganj
P.S. Case No. 167 of 2022, dated 14.02.2022 registered for the
offences punishable under Sections 363, 366, 366(A) of the
Indian Penal Code **read with Section 8 of the POCSO Act.**

3. The main submissions advanced by learned
counsel for the petitioner are that the petitioner earlier preferred
Cr. Misc. No. 34000 of 2022 for the relief of bail which was
rejected by this Court vide order dated 08.09.2022 and he has
come again for the same relief mainly on the basis of liberty
granted to him in the said order as no significant progress has
been made in the trial of the petitioner in the last one year after
rejection of petitioner's earlier prayer and after framing, of



charge till date, no prosecution witness has been examined and co-accused person namely, Sumit Bhagat @ Chotu Bhagat, carrying similar nature of allegation, has been granted bail by a co-ordinate Bench of this Court vide order dated 13.02.2023 passed in Cr. Misc. No. 32680 of 2022 and the petitioner has been languishing in jail since 15.02.2022 having no criminal antecedent.

4. Learned APP appearing for the State has opposed the prayer for bail of the petitioner.

5. Considering the above submissions and mainly taking into account petitioner's custody period and prosecution's lingering attitude in producing and examining the prosecution witnesses as submitted above, this Court is now inclined to accept the prayer for bail of the petitioner. Accordingly, let the petitioner named-above be enlarged on bail on furnishing of 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 Special (POCSO) Case No. 10 of 2022 arising out of Forbesganj P.S. Case No. 167 of 2022.

(Shailendra Singh, J)

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