

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.22092 of 2016

Arising Out of PS.Case No. -162 Year- 2015 Thana -RAJAULI District- NAWADA

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Mukesh Bhuiya, son of Babulal Bhuiya, Resident of village- Baliya, P.S.-
Rajauli, District- Nawada.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance:

For the Petitioner : Mr. Sudhir Kumar Sinha, Adv.

: Mr. Sudhir Kumar Sinha, Adv.

For the Opposite Party : Mr. T.N.Thakur (APP)

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

3 24-08-2016 Heard learned counsel for the petitioner and

learned counsel for the State.

In this case, the petitioner is seeking regular bail in connection with POCSO Trial No.19 of 2015, arising out of Rajauli P.S. Case No.162 of 2015, registered for the offence punishable under Sections 376(i) and 201 of the Indian Penal Code and under Section 6 / 8 of the POCSO Act.

As per the allegation, the petitioner took away the victim- girl in the field and committed sexual assault upon her. But, the victim-girl in her 164 statement resile from the statement made in the FIR. The petitioner is in jail since 15.07.2015.

Looking to the period of custody and the facts and circumstances of the case, let the petitioner-Mukesh Bhuiya be released on bail on furnishing bail bonds of Rs.10, 000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the A.D.J.-1-cum- Special Judge, POSCO Act, Nawada, in connection with POCSO Trial No.19 of 2015, arising out of Rajauli P.S. Case No.162 of 2015 subject to the conditions that one of the bailors will be a close relative of the petitioner i.e. mother/father/wife/son of the petitioner. The court below is directed to conclude the trial within a period of six months from today. The prosecution is also directed to co-operate in the proceeding for early conclusion of the trial.

(Shivaji Pandey, J)

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