

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.33266 of 2017

Arising Out of PS.Case No. -62 Year- 2016 Thana -BHAIRABASHTHAN District- MADHUBANI
=====

1. Rajesh Mukhiya, Son of Janak Mukhiya, Resident of Village- Kaithbar,
P.S.- Sakatpur, District- Darbhanga.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s
=====

Appearance :

For the Petitioner/s : Mr. Manish Kumar No 13

For the Opposite Party/s : Mr. Dr. Kumar Uday Pratap
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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 25-07-2017 The petitioner seeks regular bail in connection with

Bhairabsthan P.S. Case No. 62 of 2016, registered for offences

punishable under Sections 366, 376 and 323 of the Indian Penal

Code.

Allegation against the petitioner that he kidnapped the

victim girl and took her to Pune where she forcibly committed

rape and married her against her will, thereafter, he left her to her

fathers house and not ready to keep her.

It has been submitted on behalf of the petitioner that he

has falsely been implicated in this case. Petitioner and informant

has married with each other and out of the said wedlock, a child

was born and petitioner is ready to keep her and the informant

now is also ready to live with him. Further petitioner has been in



judicial custody since 16.04.2017.

Heard learned A.P.P. also.

Having heard both sides, in view of the facts as stated above, let the petitioner above named, be released on bail on furnishing bail bonds of Rs. 25,000 (Rs. Twenty Five) with two sureties of the like amount each to the satisfaction of learned ACJM, Jhanjharpur, Madhubani, in connection with Bhariabsthan P.S. Case No. 62 of 2016, subject to the following conditions:-

- (i) One of the bailors of the petitioner shall be a local person having sufficient immovable property within the jurisdiction of the concerned Court.
- (ii) The petitioner will not induce any witness or tamper with the evidence.
- (iii) The petitioner shall cooperate in the disposal of trial and make himself available as and when required by the court and on the event of failure on his part to appear before the court below on two consecutive dates without showing any genuine reasons, the prosecution is free to move for cancellation of his bail.



At the same time trial court is directed to expedite the trial and try to conclude it within a period of six months.

(Vinod Kumar Sinha, J)

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