

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.124 of 2017

Arising Out of PS.Case No. -75 Year- 2015 Thana -MAHILA P.S. District- MADHEPURA

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Kailash Kumar Mehta, Son of Laxaman Mehta, Resident of Village-
Barmottar, Police Station- Madhepura, District- Madhepura.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Surender Prasad Singh, Advocate

For the Opposite Party : Mr. Yogendra Kumar (APP)

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**
ORAL ORDER

2 11-01-2017 Heard learned counsel for the petitioner and learned
counsel representing the State.

The petitioner wants to renew the prayer of bail,
which was earlier rejected vide order dated 21.06.2016 passed in
Cr. Misc. 5446 of 2016, on the ground that the petitioner is
suffering in custody since 23.10.2015 without any fault, now the
informant-victim has already been examined during trial as P.W.6
and she has stated regarding innocence of the petitioner. She has
specifically stated that Ratnesh has committed rape with her and
the petitioner was not involved in the crime.

The learned A.P.P. submits that the victim-informant
during her examination in trial has not stated the name of the
petitioner regarding his participation in the crime.



In the facts and circumstances stated above, the petitioner is directed to be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of Mithilesh Kumar Dwivedi, learned Additional Sessions Judge, 1st-cum-special Judge, POCSO Act, Madhepura in POCSO Special Case No. 01 of 2016/CIS 01 of 2016, arising out of Mahila Madhepura P.S. Case No. 75 of 2015, subject to the conditions that one of the bailors must be a near relative and another having sufficient immovable property within the territorial jurisdiction of the court concerned and the petitioner shall remain present on each and every date during trial and the default on two consecutive dates on his part without any reason shall disentitle the petitioner from privilege of bail.

(Jitendra Mohan Sharma, J.)

Rajiv/-

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