

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.35709 of 2017

Arising Out of PS.Case No. -39 Year- 2017 Thana -MAHILA P.S District- SUPAUL

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Ganesh Mukhiya, son of Late Raghuni Mukhiya, resident of Village-
Maheshpur Dhatta Ward No. 2, Police Station & District- Supaul.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Arun

For the Opposite Party/s : Mr. Kanhaiya Kishore

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 13-09-2017 Heard learned counsel for the petitioner.

This is an application for bail in connection with POCSO
No. 08 of 2017, arising out of Supaul Mahila P.S. Case No. 39 of
2017 registered for the offences punishable under Sections 376,
302, 201, 120B/34 of the Indian Penal Code and 4 & 6 of POCSO
Act.

Allegation against the petitioner is of committing rape
upon sister of informant and killing her and her dead body was
found in the orchard of Suchit Singh and post mortem report
shows that she committed suicide.

Submission of learned counsel for the petitioner is that he
has falsely been implicated in this case as he opposed the conduct
of the girl and he is in custody since 28.3.2017.

Heard learned APP also, who has opposed the prayer for
bail on the ground that petitioner is named in the FIR, though he is
made accused on suspicion and the girl was minor.

Having heard both sides and in view of facts and



circumstances, let petitioner, above named, be released on bail on furnishing bail bond of Rs.25,000/- (Rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of the A.S.J. Ist, Supaul, in connection with POCSO No. 08 of 2017, arising out of Supaul Mahila P.S. Case No. 39 of 2017, subject to the following conditions :-

- (1) One of the bailors shall be a local person having sufficient immovable properties within the jurisdiction of the court concerned,
- (2) Petitioner will co-operate in trial and appear in court on each and every date fixed in the case and on failure to appear without any genuine ground or without permission of court, his bail bond shall be cancelled.

However, learned trial court is directed to expedite the trial and try to conclude it within a period of nine months.

(Vinod Kumar Sinha, J)

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