

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.60489 of 2019**

Arising Out of PS. Case No.-13 Year-2017 Thana- SANGRAMPUR District- East  
Champaran

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RAJKISHORE MUKHIYA @ RAJKISHOR MIKHIYA @ JOKHU  
MUKHIYA Son of Bindeshwari Mukhiya @ Bireswar Mukhiya @ Vinesher  
Mukhiya Resident of Village- Manglapur, Police Station- Sangrampur,  
District- East Champaran.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.Dilip Kumar Tondon, Adv

For the Opposite Party/s : Mr.Mithlesh Kumar Khare, APP

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**CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR**  
**ORAL ORDER**

4      04-03-2020                      Heard learned counsel for the petitioner and learned  
APP for the State.

Petitioner seeks bail in a case registered for the  
offences punishable under Section 376 of I.P.C and Sections 4  
and 6 of POCSO Act.

Petitioner is in custody since January 2017.

Allegation is of commission of rape against a minor  
girl.

In the past, prayer for bail was refused on 16.03.2018  
and learned Trial Judge was directed to expedite the trial and  
conclude the same preferably within nine months.

The status of the trial has been reported by the learned



Trial Judge vide his letter dated 21.01.2020 which reveals that the charges were framed on 20.11.2018, however, no prosecution witness has turned up up-till-now.

Considering the facts aforesaid, coupled with the fact that the petitioner is suffering from mental illness as reported by the Jail Superintendent in pursuance of order of this Court, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.20,000/- (Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with Sangrampur P.S. Case No.13 of 2017 corresponding to POCSO Trial No.16 of 2017, subject to the condition that both bailors shall be resident of territorial jurisdiction of the learned court below and further the petitioner shall fully cooperate with the trial of the case as well as the petitioner shall not leave the country without permission of the learned Trial Court, failing which the court below shall be at liberty to cancel the bail bond of the petitioner.

**(Birendra Kumar, J)**

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