

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6129 of 2022

Arising Out of PS. Case No.-212 Year-2014 Thana- GORAUL District- Vaishali

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Mukesh Kumar S/o Shivjee Singh R/o village- Bakhari Doa, P.S.- Goraul
(Kathara O.P.), District- Vaishali

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Rajesh Kumar
For the Opposite Party/s : Mr. APP.

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CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 21-06-2022 The learned counsel for the petitioner is directed to

remove all the defects pointed out by the Stamp Reporter within

one month.

Heard learned counsel for the petitioner and the
learned APP for the State.

Petitioner seeks regular bail in a case registered for
the offences punishable under Sections 376, 341, 323, 354,
506/34 of Indian Penal Code and Section 4/6 of POCSO Act.

Allegedly this petitioner forcefully sexually exploited
informant aged about 40 years and continued to establish the
sexual relationship with her by giving threat to her and
thereafter the informant conceived and became pregnant which
was revealed by her to her family members and then her family
members made inquiry from the accused persons who assaulted



them.

The main submissions advanced by learned counsel for the petitioner are that in the petitioner's case trial has commenced and all the private witnesses including the victim have been examined and they went hostile and copy of their statements have been filed alongwith this criminal miscellaneous petition. Further submission is that the petitioner has been languishing in jail since 2.3.2020 and only official witnesses are left to be examined.

Learned APP has opposed the prayer for bail.

In view of the above submissions as well as considering the so called victim's statement recorded by her during course of trial in which she did not support the allegation made in the FIR and she went hostile and also considering the petitioner's custody period, let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of concerned Court in connection with Goraul P.S. case No. 212 of 2014.

(Shailendra Singh, J)

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