

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82617 of 2023

Arising Out of PS. Case No.-15 Year-2023 Thana- MAHILA PS District- Gaya

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1. MUKESH MANJHI SON OF VILAY MANJHI R/O VILLAGE-AMARPUR, P.S.- FATEHPUR, DIST.- GAYA
 2. JHAGADU MANJHI SON OF BITHAL MANJHI R/O VILLAGE-AMARPUR, P.S.- FATEHPUR, DIST.- GAYA

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vinod Kumar, Advocate

For the Opposite Party/s : Mr. Md. Fahimuddin, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

4 09-04-2024

1. Heard learned counsel for the parties.

2. The petitioners have preferred this application for grant of regular bail in connection with Mahila P.S. Case no. 15 of 2023 registered under sections 376D and 506 of the Indian Penal Code and sections 4 and 6 of the POCSO Act.

3. As per the prosecution case, the fourteen year old informant states that the petitioners committed rape on her.

4. It is submitted by learned counsel for the petitioners that the petitioners have been falsely implicated in the case. The trial has commenced and the informant was also examined as PW 1 in course of trial wherein she has not supported the prosecution case and has been declared hostile.



The petitioners are in custody since 22.2.2023 and there being no chance of conviction of the petitioners, they be enlarged on bail. They undertake to cooperate in the trial.

5. Heard learned A.P.P. for the State.

6. Having heard learned counsel for the parties and taking into consideration the direct allegations against the petitioners of having committed rape on the minor informant together with the progress in the trial in the learned trial Court wherein six witnesses have been examined on behalf of the prosecution, the Court is not inclined to enlarge the petitioners on bail and the application is rejected.

7. Learned trial Court is directed to expedite the trial and to conclude the same at the earliest preferably within a period of 4 months from the date of receipt of a copy of this order.

(Partha Sarthy, J)

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