

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.54264 of 2016

Arising Out of PS.Case No. -105 Year- 2016 Thana -MAHILA P.S. District- MUZAFFARPUR

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Guddar Mishra @ Gangadhar Mishra Son of late Shivchandra Mishra
Resident of Village- Janar, P.S.- Aurai, District- Muzaffarpur.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Surendra Kishore Thakur, Advocate.

For the Opposite Party/s : Mr. Smt. Pushpa Sinha, APP

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA

ORAL ORDER

2 21-12-2016 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner apprehends his arrest in connection with
Mahila P.S. Case No. 105 of 2016 registered under Sections
376(ii)(i) and 201/34 of the Indian Penal Code read with Section 4
and 21 of the POSCO Act.

The accusation is that minor daughter of informant,
Punam Devi and minor daughter of one Shambhu Saran Singh had
gone to the field to graze the she-goat then Harichandra Sah took
both the girls to his house and committed rape. When the
informant came to know about the occurrence to her daughter she
met to husband of Mukhiya and petitioner, husband of Surpanch
then they arranged the meeting in the house with son of
Harichandra Sah and one Advocate. After meeting, petitioners and



others asked the informant and Sambhu Saran Singh to receive cash of Rs.41,000/- as compensation as their will be no result in lodging the case but the informant refused.

Learned counsel for the petitioner submits that it would appear from the F.I.R. that the allegation of committing rape on both minor girls is against Harichandra Sah. Only allegation against petitioner and one Raju Mishra husband of Mukhia is that after panchayat they asked for payment of compensation by Harichandra Sah to the guardian of both victim, minor girls, except that there is nothing against the petitioner and Raju Mishra.

Having regard to the facts and circumstances of the case, let the above named petitioner be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Ist Additional Sessions Judge-cum-Speical Judge, POSCO, Muzaffarpur, in connection with Mahila P.S. Case No. 105 of 2016, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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