

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.45351 of 2016

Arising Out of PS.Case No. -358 Year- 2016 Thana -PHULWARI District- PATNA

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Guddu Kumar, son of Ravindra Pandit @ Raju Pandit, resident of village
Uttari Sangat (Kumhar Toli), Police Station Phulwarisharif, District Patna

.... Petitioner/s

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. Sri Anil Prasad Singh

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CORAM: HONOURABLE THE CHIEF JUSTICE
ORAL ORDER

2 19-10-2016

This is an application, made under Section 439 of the Code of Criminal Procedure, seeking bail for the accused-petitioner, namely, Guddu Kumar, in connection with Phulwarisharif Police Station Case No. 358 of 2016 (Special Case No. 90 of 2016), under Section 376 of the Indian Penal Code and Sections 8/12 of the Protection of Children from Sexual Offence Act, 2012.

Perused the above application and materials on record.

Heard Mr. Rajesh Kumar, learned Counsel for the petitioner, and Mr. Anil Prasad Singh, learned Additional Public Prosecutor, appearing on behalf of the State.

In view of the fact that the accused above-named has been in custody since 29.06.2016 in connection with the case aforementioned and though *charge sheet* has been

submitted and perusal of the materials available on record does not reveal such incriminating materials, which would warrant further detention of the accused-petitioner in custody, and in view also of the fact that the perusal of the materials does not reveal that the accused-petitioner's liberty on bail would adversely affect his trial, it is, in the interest of justice, hereby directed that the accused above-named shall be released on bail of Rs. 10,000/- with two sureties, each of the like amount, subject to the satisfaction of the learned 1st Additional Sessions Judge, Patna, in connection with Phulwarisharif Police Station Case No. 358 of 2016 (Special Case No. 90 of 2016.

This direction for bail is further subject to the condition that the accused above-named shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer or tamper with the evidence and shall appear, in the learned Court below, as may be directed.

In terms of the above observations and directions, this bail application shall stand disposed of.

(I.A. Ansari, CJ.)

Prabhakar Anand/-

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