

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.54218 of 2016

Arising Out of PS.Case No. -226 Year- 2016 Thana -KRITYANAND NAGAR District- PURNIA

=====

Guddu Mehtar, son of Gulai Mehtar, Resident of village- Sahara, P.S.- K. Nagar, District- Purnea.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

=====

Appearance :

For the Petitioner : Mr. Vikram Singh, Advocate.

For the Opposite Party : Mr. Uma Shankar Prasad Singh, A.P.P.

=====

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA

ORAL ORDER

3 11-01-2017 Heard learned counsel for the petitioner and the State.

The petitioner seeks bail in a case instituted for the offence under Sections 376 and 511 of the Indian Penal Code and Sections 8 and 12 of Protection of Children from Sexual Offences Act.

It is alleged that on the date of occurrence while the informant had gone with her brother Bhola Mehtar to pick up the *jalawan*, all of a sudden Guddu Mehtar (petitioner) arrived and caught hold her hands and took towards the forest and on showing currency of 50 rupee notes, tied her hands with *Gamchha* and when she started crying, her cousin sister came to rescue her on



which Guddu Mehtar (petitioner) started assaulting both of them. Her younger brother Bhola Mehtar went to call her mother. In the meantime, Guddu Mehtar attempted to commit illegal act after removing her pant and assaulted with slaps.

It has been submitted that there is previous enmity between the parties for which a Complaint Case No. 2794 of 2015 has been filed by one Dinesh Mehtar against father of the complainant and others in which the petitioner is one of the witness. Petitioner is in custody since 20.7.2016.

From the written report itself it appears that there is merely allegation of attempting to commit illegal act after removing the pant of the victim girl. Besides this allegation, there is no allegation of any overt act against the petitioner. As per Annexure-2, it reveals that there is previous litigation between the parties for which a Complaint Case No. 2794 of 2015 was filed and in the said complaint the petitioner was the witness.

Considering the aforesaid facts and circumstances of the case, let the petitioner above named, 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 learned 1st Additional Sessions Judge, Purnea, in connection with K. Nagar (Maranga) P.S. Case No. 226 of 2016, subject to the condition



that both the bailors will be the close relatives of the petitioner.

(Sanjay Priya, J)

S.Ali/-

U		T	
---	--	---	--

