

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.7150 of 2018

Arising Out of PS. Case No.-33 Year-2017 Thana- MAHILA PS District- Aurangabad

=====

Guddu Kumar @ Anil Kumar, Son of Late Janeshwar, Resident of Village-
Pathartkatti, P.S.- Daudnagar, District- Aurangabad.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Bachan Jee Ojha
For the Opposite Party/s : Mr. MR. MANOJ KUMAR

=====

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

3 07-03-2018 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner seeks bail in **Aurangabad(Mahila) P.S.**
Case No. 33 of 2017 registered for the offence punishable under
Section 376(D) of the Indian Penal Code and Section 4 of the
POCSO Act.

Victim girl herself is the informant who in her written
complaint made on 08.10.2017 has stated that she is 17 years
old and had developed intimacy with one Binod Kumar of the
locality and went with Binod Kumar to Delhi but she could not
get rented house there and thereafter she returned and went to
her village Daudnagar where she met with Manish Kumar who
ply auto-rickshaw and who was known to her from before and
asked Manish Kumar to search a rented room for her and he



searched and got a rented room for her. Binod Kumar developed physical relation with her and Manish Kumar also remained there for 15 days and established physical relation with her. Thereafter she met Subodh Kumar and on 06.10.2017, she met her in the market at 4 O' Clock and said that he will arrange Rs. 6000/- for her and took her to a nearby school where petitioner along with 4 others committed rape on her and thereafter she has lodged the present FIR. In her statement recorded under Section 164 of the Cr.P.C, she has stated that petitioner and four others raped her and the name of the petitioner was disclosed by said Subodh Kumar to her. In her statement under Section 164 of the Cr.P.C, she has also stated that Subodh Kumar was caught hold by others contrary to her statement made in FIR.

It has been submitted on behalf of the petitioner that petitioner is innocent and has been falsely implicated in this case and has committed no offence. Petitioner's name has been disclosed by said Subodh Kumar to informant due to extraneous reason. Petitioner has got no criminal antecedent and is in custody since 08.10.2017.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 10,000/-(ten thousand) with two



sureties of the like amount each to the satisfaction of learned
A.D.J.-1 cum Special Judge (POCSO) Act, Aurangabad in
connection with **Aurangabad (Town Mahila) P.S. Case No. 33**
of 2017.

(S. Kumar, J)

ranjan/-

U			
---	--	--	--

