

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.57023 of 2018

Arising Out of PS. Case No.-4 Year-2018 Thana- MAHILA P.S. District- Vaishali

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Guddu Kumar, Son of Ramjivan Mahto, Resident of Village- Majrohi
Raghunandan, Police Station- Desari (O.P. Sahdei Bujurg), District- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manish Kumar No-2

For the Opposite Party/s : Mr. Sri Anil Kumar

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

4 10-10-2018 Heard learned counsel for petitioner and learned
counsel for the State.

Petitioner, who is in custody, seeks bail in
connection with Mahila P.S. Case No. 04 of 2018 registered for
the offences punishable under Sections 376(D) of the Indian
Penal Code under Section 67(A) of the Information and
Technology Act.

Informant who is the father of the victim girl has
alleged that petitioner along with other co-accused committed
rape upon her daughter and took photographs of the same and
thereafter showed the photographs to the villagers.

It has been submitted on behalf of the petitioner
that he is innocent and has been falsely implicated in this case
due to dirty village politics. He has no criminal antecedent and



he is in custody since 27.04.2018. He was examined by Doctor and no foreign body was found on his private part. There is variation in statement of informant in his fardbeyan and statement recorded under Section 164 Cr.P.C. There is difference in name of accused persons also. The informant has named accused in his fardbeyan on the basis of information received from villagers. All witnesses are hearsay. Similarly placed co-accused has been granted bail by co-ordinate bench of this court in Cr. Misc. No. 41668 of 2018 vide order dated 13.07.2018.

Considering the aforesaid fact 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 Sub Divisional Judicial Magistrate, Vaishali at Hajipur in connection with Mahila P.S. Case No. 04 of 2018.

(S. Kumar, J)

Rajiv/Manoj-

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