

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.56058 of 2018

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

Guddu Kumar S/o Upendra Yadav @ Upendra Singh resident of Village-
Patharkatti, P.S. Daudnagar, District Aurangabad (Bihar).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Lal Bahadur Singh

For the Opposite Party/s : Mr. Sri Tarun Prasad Mandal

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

3 28-11-2018 Heard the learned counsel for the petitioner and
learned APP for the State.

Petitioner seeks regular bail in Town (Mahila) P.S.
Case No. 33 of 2017 corresponding to G.R. No. 31 of 2018
registered for the offence punishable under Section 376D of
Indian Penal Code and Section 4 of POCSO Act.

It is alleged that several accused persons had
established physical relation with the informant. The first man
was Vinod Kumar who had developed physical relation with her
thereafter, Manish Kumar and Subodh Kumar have also
established physical relation. She has further stated that on the
date of occurrence, co-accused Subodh Kumar took her to a
School on the pretext to give Rs. 6,000/- where four F.I.R.
named accused persons including the petitioner were already



there and committed rape upon her.

It has been submitted on behalf of the petitioner that all similarly situated co-accused persons have been granted bail. Co-accused Guddu Kumar @ Anil Kumar and Manish Kumar have been granted bail by this Court vide order dated 07.03.2018 passed in Cri. Misc. No. 7150 of 2018 and order dated 12.07.2018 passed in Cr. Misc. No. 40267 of 2018 respectively. Petitioner is in custody since 01.08.2018.

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/- with two sureties of the like amount each to the satisfaction of learned 1st Addl. Sessions Judge-cum-Special Judge POCSO, Aurangabad (Bihar) in connection with Town (Mahila) P.S. Case No. 33 of 2017 with following conditions:-

(I) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) Petitioner shall co-operative in the trial and shall be represented on each and every date fixed by the Court.

(3) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty



to move for cancellation of bail of the petitioner.

(S. Kumar, J)

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