

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41402 of 2019

Arising Out of PS. Case No.-356 Year-2018 Thana- GAYA MUFASIL District- Gaya

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GUDDU MANJHI, aged about 25 years, (Male), Son of Rambriksh Manjhi,
Resident of Village - Surheri, P.S.- Muffasil, District- Gaya.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Shailesh Kumar, Adv.

For the Opposite Party/s : Mr.Ram Naresh Ray (APP)

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

3 27-09-2019 Heard learned counsel for petitioner and learned
counsel for the State.

Petitioner, who is in custody, seeks bail in connection with Muffasil P.S. Case No. 356 of 2018, POCSO Case No. 107 of 2018, registered for the offences punishable under Sections 376(3), 376(D)(A), 354(D)(II), 341, 342, 323, 452/34 of the Indian Penal Code and Section 6 of the POCSO Act and Sections 67, 67(A), 67(B) of the Information Technology Act, 2008.

Allegation is that petitioner and other accused persons committed rape upon the victim.

It has been submitted on behalf of the petitioner



that petitioner is in custody since 15.10.2018 and has got no criminal antecedent. Chargesheet has been submitted in this case. There is no allegation of tampering of witnesses alleged against the petitioner. As per the medical report, no sign of rape has been found. Petitioner has been made accused for oblique reasons. Other co-accused has been granted bail vide order dated 01.05.2019 passed in Cr. Misc. No. 20460 of 2019.

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 A.D.J. 1st-cum-Special Judge (POCSO Act), Gaya, in connection with Muffasil P.S. Case No. 356 of 2018, POCSO Case No. 107 of 2018, subject to conditions:

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

(2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by Court and his absence on two consecutive dates without sufficient reasons, his bail bond shall be cancelled by the court below.

(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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