

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.51626 of 2019**

Arising Out of PS. Case No.-484 Year-2018 Thana- BANKA District- Banka

GUDDU TANTI @ GUDDO TANTI, aged about 36 years (Male), S/o Late  
Makeshwar Mandal, R/o village- Kazigarh, P.S.- Barahat, District- Banka  
... .. Petitioner/s

Versus

The State of Bihar ... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Brij Nandad Prasad

For the Opposite Party/s : Mr.Satyendra Prasad

**CORAM: HONOURABLE MR. JUSTICE S. KUMAR**

ORAL ORDER

3      01-10-2019                      Heard learned counsel for the parties.

Petitioner seeks bail in a case registered for the offence punishable under Sections 376 of the Indian Penal Code.

Informant in her fardebyan has stated that on 15.07.2018 at about 2 p.m., (afternoon) while she was in her courtyard, petitioner entered into her house and committed rape with her and on hearing hulla, her brother-in-law and sister-in-law came and apprehended the petitioner and, thereafter, he was handed over to the police.

It is submitted that petitioner was falsely implicated in this case and no case of rape is made out against him.

The informant was examined in the court as a prosecution witness in which she has totally denied the said incident and has been declared hostile. Petitioner has no criminal antecedent and he is in custody since 15.07.2019.



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 court below where the case is pending in connection with Banka P.S. Case No.484/2018 corresponding to S.T. No.394/2018, with following 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 the Court and his absence on two consecutive dates without sufficient reason, 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)**

Sanjay/-

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