

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59769 of 2019

Arising Out of PS. Case No.-380 Year-2019 Thana- ALAMGANJ District- Patna

MD. GUDDU Son of Md. Ibrahim @ Md. Abraham Resident of Mohalla-
Mogalpura, Foujdari Kuan P.S.-Patna City, District-Patna, at present residing
at Mohalla-Doorukhi Gali, Sue Ki Masjid, rented house of Md. Rinku, P.S.-
Khajekalan, District-Patna.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Jay Ram Prasad
For the Opposite Party/s : Mr.Nirmal Kumar Sinha

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

3 27-11-2019 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner in the present case is seeking regular
bail in connection with Special Case No. 98/2019 arising out of
Alamganj P.S. Case No. 380/2019 registered under Sections
363 of the Indian Penal Code and Section 12 of the POCSO Act.

Learned counsel for the petitioner submits that
petitioner has falsely been implicated in this case. There are
discrepancies in the statement recorded by police giving rise to
the present F.I.R., there is previous enmity between the parties
and only to harass the petitioner the present case has been
lodged, however petitioner is in custody since 30.05.2019 and
has no criminal antecedent.



Learned A.P.P. for the State has opposed the prayer for bail.

Considering the facts and circumstances of the case wherein it is the submission of learned counsel for the petitioner that there are discrepancies in the statement recorded by police giving rise to the present F.I.R. and the statement of the mother of the victim girl recorded under Section 164 Cr.P.C., there is no allegation against the petitioner of doing any wrong with the victim girl, further that he has been in custody since 30.05.2019, let the above-named petitioner be released on bail furnishing bail bond of Rs. 15,000/- (Rupees Fifteen Thousand only) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge, 1st – cum - Special Judge, POCSO, Patna, in connection with Special Case No. 98/2019 arising out of Alamganj P.S. Case No. 380/2019, subject to the condition as laid down under Section 437(3) Cr.P.C. as under:

(a) that such person shall attend in accordance with the conditions of the bond executed under this Chapter,

(b) that such person shall not commit an offence similar to the offence of which he is accused, or suspected, of the commission of which he is suspected, and

(c) that such person shall not directly or indirectly



make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any Police Officer or tamper with the evidence.

(Rajeev Ranjan Prasad, J)

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