

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62899 of 2019**

Arising Out of PS. Case No.-241 Year-2019 Thana- SAMASTIPUR MUFFASIL District-
Samastipur

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GUDDU KUMAR Son of Shiv Shankar Mahto Resident of Village -
Korbadha, P.S.- Samastipur Muffasil, Distt.- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Bijay Bhushan Prasad
For the Opposite Party/s : Mr.Sunil Kumar Pandey

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**CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER**

3 25-11-2019 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner seeks bail in a case registered for the
offence punishable under Sections 363, 364 of the Indian Penal
Code.

The prosecution story, in brief, is that on 21.05.2019
at about 7.44PM while the informant was going to his house on
a motorcycle with his daughter Rupa Kumari, aged about 14
years, who was studying in Gurukul school at Samastipur, in
course of it, in the way of Bhiri Tola, 8-10 culprits intercepted
him and started assaulting him, out of which, one culprit on the
point of gun, forcibly took his daughter on a white colour car. It
is further alleged that when the informant tried to rescue his



daughter, one of the culprit attached on his mouth with butt of gun causing fractured his mouth and fell down on the ground thereafter, 2-3 culprits took cash Rs. 1200/-, driving license, important documents and key of motorcycle and fled away giving threatening to manage money.

It has been submitted by learned counsel for the petitioner that the petitioner has got no criminal antecedent. There is no allegation of tampering with the witnesses alleged against the petitioner. Petitioner has been falsely implicated in the present case. The petitioner is not named in the FIR. His name has come on the basis of confessional statement of co-accused Vijay Kumar and Sujeet Kumar. The victim has already been recovered. Her statement under Section 164 Cr.P.C. has been recorded. No allegation of sexual assault has been alleged against this petitioner by the victim. Learned counsel for the petitioner further submits that the co-accused has been granted the bail by a coordinate Bench of this Court in Cr. Misc. No. 51977 of 2019 on 21.08.2019.

In the facts and circumstances of the case, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M.-



V, Samastipur in connection with Muffasil Police Station Case
No. 241 of 2019.

(Anjani Kumar Sharan, J)

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