

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27581 of 2020

Arising Out of PS. Case No.-7 Year-2020 Thana- DELHA District- Gaya

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Guddu Kumar Son of Kail Thakur Residence of Village - Jalalpur, P.S.- Goh,
Distt.- Aurangabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sanjay Kumar Sharma
For the Opposite Party/s : Dr. Ajeet Kumar,APP

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2. 20-10-2020 Heard learned counsel for the petitioner as well as
learned A.P.P. for the State through video conferencing.

The petitioner seeks bail in Delha P.S. Case No. 07 of
2020 (POCSO Case No. 06 of 2020), registered for the offence
under Sections 354(A)/354(D)/34 of the Indian Penal Code and
Sections 8/12 of POCSO Act.

As per the prosecution case, on 09-01-2020 at about
6:30 PM, when the victim (informant) was returning home from
her coaching class, this petitioner caught her hand near Vardan
Hospital at Gaya-Tekari Road and the victim started weeping
and due to hue & cry, her father and local people came at the
spot. It is further alleged that brother of the petitioner also came
at the place of occurrence and abused the victim and her father
and also threatened to outrage her modesty.



It is submitted on behalf of petitioner that petitioner was previous renter of the informant's house and there was love affairs between them and due to some grudge, this false case has been lodged against this petitioner. It is further submitted that both parties have compromised the case. Chargesheet has already been submitted. It is stated in paragraph – 3 of the petition that petitioner has got clean antecedent and he is in custody since 10-01-2020.

Considering the nature of allegation and period of custody, the bail application of petitioner is allowed. Let the above-named petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned court of Special Judge (POCSO Act), Gaya in connection with Delha P.S. Case No. 07 of 2020 (POCSO Case No. 06 of 2020) on the following conditions:

“(1) Petitioner shall cooperate 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 on his absence on two consecutive dates without sufficient reason, his bail-bond shall be cancelled by the Court below.

(2) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for



cancellation of bail.”.

(Prabhat Kumar Singh, J.)

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