

**IN THE HIGH COURT OF JUDICATURE AT PATNA  
CRIMINAL MISCELLANEOUS No.39622 of 2021**

Arising Out of PS. Case No.-12 Year-2020 Thana- MAHILA P.S. District- Saran

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Guddu Singh Son of Late Jagat Singh Resident of Village - Berui, P.S. -  
Baniyapur, District - Saran.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.Rakesh Ranjan

For the Opposite Party/s : Mr.Umeshanand Pandit, APP

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**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH  
ORAL ORDER**

2      05-10-2021                      Heard both parties.

The petitioner seeks bail in Mahila P.S. Case No. 12 of 2020, registered for the offence punishable under Sections 376 and other allied sections of the Indian Penal Code and section 3/4 of Prevention of Witch Practice Act.

As per the prosecution case, on the alleged date of occurrence the informant had gone to her Naihar to see her ailing father. While the minor daughter of informant was sleeping at her room, this petitioner entered her room and tried to sexually assault her. When informant returned her home, her daughter stated about the incident. Informant and her husband went to the house of petitioner to complain, then the accused persons abused and assaulted them by fists and slaps and ousted them from their house.



It is submitted on behalf of the petitioner that petitioner has falsely been implicated in this case due to civil dispute. Entire allegation is false and concocted. Petitioner is the uncle of victim girl. A partition suit No. 807 of 2013 is going on between the parties. Prior to this case father of petitioner filed a petition before the Deputy Collector (Land Reforms) against the husband of informant and others and petitioner's side also lodged Baniyapur PS Case No. 93 of 2020 for murder of father of petitioner against the informant and her husband. Petitioner is in custody since 24.03.2021 having clean antecedent.

Considering the facts and circumstances of the case, the petitioner above-named, is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Sub-Divisional Judicial Magistrate, Chapra in connection with Mahila P.S. Case No. 12 of 2020, subject to following conditions:-

(i) The 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 in the event of failure on two consecutive dates without sufficient reasons, his bail bond shall be liable to be



cancelled by the court below.

(ii) 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.

**(Prabhat Kumar Singh, J)**

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