

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29325 of 2021

Arising Out of PS. Case No.-55 Year-2020 Thana- PUNAURA District- Sitamarhi

GUDDU RAI @ GUDU RAI @ GUDU KUMAR Son of Jinish @ Jinish Prasad Yadav Resident of Village - Ranjeet Pur West, P.S.- Punaura, District - Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Madhubala Verma

For the Opposite Party/s : Mr. Braj Kishore Prasad, APP

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 08-02-2022 Heard learned senior counsel for the petitioner and learned APP for the State.

The petitioner apprehends his arrest in connection with Punaura P.S. Case No.55 of 2020 registered for offences under Sections 363, 365, 376 and 302/34 of the Indian Penal Code and Sections 4/6 of the Protection of Children from Sexual Offences Act, 2012.

In the FIR there is allegation of rape against the petitioner and thereafter murdering the girl but from the confessional statement of one co-accused Manoj Kumar it appears that the girl was in love with Manoj Kumar and they met in the night each other who had sex. Thereafter the girl left the house when the family members started searching for her.



From post mortem report, it is not clear that any rape was committed upon the girl and, therefore, the petitioner cannot be sent jail merely on suspicion as there may be false implication of the petitioner.

Considering the aforesaid facts, the application for anticipatory bail is allowed.

Accordingly, let petitioner, above-named, in the event of his arrest or surrender within ten weeks from today, 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 learned Additional Sessions Judge-VI, Sitamarhi in connection with Punaura P.S. Case No.55 of 2020, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Sandeep Kumar, J)

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