

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34282 of 2021

Arising Out of PS. Case No.-113 Year-2020 Thana- MANIHARI District- Katihar

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GUDDU SAH @ GUDDU KUMAR Son of Late Bablu Kumar Resident of
Village - Kumari Pur, Mirtola, P.S.- Manihari, Dist.- Katihar.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Raghvendra Kumar Singh

For the Opposite Party/s : APP

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 03-01-2022 Heard learned counsel for the parties.

Petitioner seeks regular bail in connection with Manihari P.S. Case No. 113 of 2020 , G.R. Case No. 1767 of 2020 registered for the offence under Sections 376, 504 of the I.P.C. and Section 4 of the POCSO Act.

The allegation is that the petitioner committed rape upon the minor granddaughter of the informant and when the victim objected, the petitioner gave a promise to marry her.

Learned counsel for the petitioner submits that F.I.R. has been lodged after two days of the alleged occurrence and there was love affair between the petitioner and the victim girl. He further submits that marriage of the victim girl has already been solemnized and the petitioner is in custody since



17/12/2020.

I have heard learned counsel for the parties. From perusal of Annexure- 2 to this bail petition, which is 164 Cr.P.C. statement of victim girl it appears that the petitioner has committed rape upon her and when the victim girl objected, he promised her to marry and on the pretext of marriage he established sexual relationship with the minor victim girl due to which she became pregnant and her pregnancy was aborted at the instance of the petitioner.

Regard being had to the submissions made by learned counsel for the parties, taking into consideration the materials available on record and the statement of the victim girl recorded under Section 164 of the Cr.P.C., I am not inclined to grant regular bail to the petitioner.

Accordingly, the same is rejected.

(Anil Kumar Sinha, J)

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