

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6356 of 2023

Arising Out of PS. Case No.-74 Year-2022 Thana- BAJPATTI District- Sitamarhi

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GUDDU RAI @ GUDDU KUMAR S/O SHAMBHU RAI Resident of
Village- Bhadian Ward No.- 5, P.S.- Nanpur, District- Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Alok Kumar Alok, Adv.

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

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 11-04-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner apprehends his arrest in a case registered
for the offences punishable under Sections 363, 366 (A)/34 of
the Indian Penal Code and 8 of POCSO Act.

Allegedly, the informant's minor daughter had gone to
appear in Matriculation Examination in D.P.S. School, Pupri but
she did not return. After search, he came to know that his
daughter was kidnapped by accused Dipu Rai and Guddu Rai.
When the informant along with his wife went to the house of
petitioner to inquire about the same, they were abused and
assaulted.

It is submitted by learned counsel for the petitioner that
petitioner is quite innocent and has committed no offence. No



such occurrence as alleged ever took place. He has been falsely implicated in this case due to ulterior motive. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. His name has been transpired in this case merely because he is the elder brother of co-accused Dipu Rai. The statement of the victim girl has been recorded under Section 164 Cr.P.C. in which she has not supported the prosecution story. It is further submitted that co-accused Dipu Rai is already in judicial custody. Petitioner has no criminal antecedent as mentioned in para-3 of this application.

Learned APP for the State opposed the prayer for bail and submitted that though the victim girl got married with Dipu Rai and has not supported the prosecution case, but she is minor.

Having regard to the facts and circumstances of the case, as co-accused Dipu Rai is already in judicial custody, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor Court in connection



with Bajpatti P.S. Case No. 74 of 2022, subject to the condition
as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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