

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27478 of 2024**

Arising Out of PS. Case No.-195 Year-2022 Thana- DHARHARA District- Munger

Guddu Kumar S/O Subodh Yadav R/O Village- Chharra Patti, P.S- Hemjapur,
Distt.- Munger.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manoj Kumar Jha

For the Opposite Party/s : Mr.Kalyan Shankar

**CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER**

3 05-07-2024 Heard learned counsel for the petitioner and
learned APP for the state.

2. Earlier the application for regular bail of the petitioner was rejected by this Court vide order dated 26.06.2023 passed in Cr. Misc. No. 14570 of 2023 with a direction to trial Court to conclude the trial as soon as possible.

3. The fresh application for regular bail has been filed by the petitioner in connection with Dharhara(Hemjapur) P.S. Case No. 195 of 2022 instituted for the offence u/s 376(AB) of the Indian Penal Code and Sections 4/6 of the POCSO Act.

4. As per prosecution case, the informant alleged



that when her minor daughter was going to her house from *Bathan* then the petitioner forcibly took her to his house and committed rape with her.

5. It is further submitted by learned counsel on behalf of the petitioner that there is new ground available in this case because victim as well as informant did not support the prosecution case during trial in respect of commission of rape with the victim girl by the petitioner and in support of this Annexure-P/3 series has been annexed in this petition. A statement has been made in para-3 of this petition that the petitioner has got no criminal antecedent. Moreover, he is languishing in judicial custody since 21.10.2022.

6. Learned counsel for the informant and learned APP for the State have opposed the prayer for bail of the petitioner.

7. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as custody of the petitioner, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Dharhara (Hemjapur) P.S. Case No. 195 of 2022 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like



amount each to the satisfaction of learned Exclusive Special
Judge(POCSO Act)-cum-Additional Sessions Judge-VI,
Munger.

(Sunil Kumar Panwar, J)

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