

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14356 of 2025

Arising Out of PS. Case No.-87 Year-2023 Thana- PUPRI District- Sitamarhi

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Guddu Kumar Son of Bangali Mahto Resident of Vill- Mahmadvpur, 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. Anil Kumar, Advocate

For the Opposite Party/s : Mr. Md. Mushtaque Alam, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

4 15-07-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks bail in a case registered for the offences punishable under Sections 376, 313, 420 and 34 of the Indian Penal Code.

3. As per the prosecution case, the informant has alleged that she was having love affair with Guddu Kumar (petitioner) and he had made physical relationship on the pretext of marrying her. However, the marriage was fixed with somebody else and he was demanding certain amount for marrying with the informant and hence the present case.

4. Learned counsel for the petitioner submits that petitioner has falsely been implicated and no such incident as alleged has occurred. It has further been submitted that



subsequent to the lodging of FIR, the parties have compromised which has brought on record by way of Annexure-P2 and further it has been stated that by way of supplementary affidavit, it has been brought on record that the informant had been married to one another person, namely, Nivesh Kumar in the year 2023 and they are residing peacefully. Learned counsel next submits that the deposition of the informant during the trial has also been brought on record by way of the supplementary affidavit, wherein the informant had not supported the prosecution case and has denied making such allegations against the petitioner. It has lastly been submitted that the petitioner has clean antecedent and custody since 01.08.2024.

5. The learned A.P.P. for the State has vehemently opposed the prayer for bail and has stated that there is specific allegation upon the petitioner of committing rape upon the informant.

6. Considering the aforesaid submissions and taking into account the deposition of the victim, let the petitioner, above named, be released 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 court below where the case is pending/successor court in connection Pupri P.S. Case



No. 87 of 2023, subject to the following conditions:-

(i) One of the bailors of the petitioner shall be his close relative and the other shall be local resident.

(ii) The petitioner shall remain physically present in Court on each date of the trial.

(iii) In case of absence on two consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(iv) The learned Court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

7. Accordingly, the prayer for bail is allowed.

(Sourendra Pandey, J)

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