

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18234 of 2025

Arising Out of PS. Case No.-18 Year-2018 Thana- MAHILA PS District- Gopalganj

Guddu Kumar Ram Son of Ramayan Ram Village- Madhu Sareya, P.S.-
Manjhagarh, District- Gopalganj

... .. Petitioner/s

Versus

1. The State of Bihar
2. Guddi Kumari Daughter of Nand Kumar Ray Village- Madhu Sareya, P.S.-
Manjhagarh, District- Gopalganj
3. Pratima Kumari Daughter of Nand Kishore Ray Village- Madhu Sareya,
P.S.- Manjhagarh, District- Gopalganj

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Indrajeet Bhushan, Advocate
For the Opposite Party/s	:	Mr. Kumar Veerendra Narayan, APP
For the Informant/s	:	Mr. Sanjay Kumar Pandey No. 5, Advocate

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 27-03-2025 Heard learned counsel for the petitioner, learned
APP for the State and learned counsel for the informant.

2. The petitioner seeks bail in connection with Gopalganj (Mahila) P.S. Case No. 18 of 2018, instituted for the offences punishable under Sections 341, 323, 354(B)/34 of the Indian Penal Code read with Sections 9 and 10 of the POCSO Act.

3. The prosecution case, in short, is that, the petitioner along with other co-accused persons returning from a dance show, intercepted the informant coerced her into calling her



sister and her friend Ravi to a specific location. Upon their arrival, the group assaulted all three of them due to which they sustained injury.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case. The present case is misuse of privilege of bail earlier granted to the petitioner. Earlier the petitioner was granted bail on 11.05.2018 by the learned Court below. It is submitted that on 13.09.2024, the victim and her mother were present in the Court below for recording their evidence but on that day no *pairvi* was made on behalf of the petitioner. The learned Court below cancelled bail bond of the petitioner on 13.09.2024. The petitioner surrendered before the learned Court below on 31.01.2025. Thus, there is misuse of bail of around four months. Learned counsel further submitted that petitioner undertakes to abide by any conditions imposed by this Court, if released on bail.

5. Learned APP for the State and learned counsel for the informant have vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case and taking into account the period of custody



undergone by the petitioner as also the undertaking given by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Gopalganj (Mahila) P.S. Case No. 18 of 2018, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(III) If the petitioner is found involved in similar nature of offence in future, the Trial Court will have the liberty to cancel the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

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