

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38456 of 2016

Arising Out of PS.Case No. -246 Year- 2016 Thana -MARHAURA District- SARAN

1. Vicky Kumar @ Vicky Kumar Singh Son of Sri Prem Shankar Singh
Resident of Village Pataha P.S. Marhowrah, District- Saran (Chapra)

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

with

Criminal Miscellaneous No.40566 of 2016

Arising Out of PS.Case No. -246 Year- 2016 Thana -MARHAURA District- SARAN

1. Sanjit Kumar @ Bhola Son of Lalan Sah resident of village- Dhenuki,
p.s-Marhowrah,District-Saran(Chapra).

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

with

Criminal Miscellaneous No.41310 of 2016

Arising Out of PS.Case No. -246 Year- 2016 Thana -MARHAURA District- SARAN

1. Mantu Sah Son of Jhagar Sah resident of village - Dewadi, Police Station
Taraia, District Saran (Chapra)

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

(In Cr.Misc. No.38456 of 2016)

For the Petitioner/s : Mr. Nitu Kumari

For the Opposite Party/s : Mr. Sri Abhay Kumar - 1

(In Cr.Misc. No.40566 of 2016)

For the Petitioner/s : Mr. Kapil Deo Singh

For the Opposite Party/s : Mr. Sri Tarun Prasad Mandal

(In Cr.Misc. No.41310 of 2016)

For the Petitioner/s : Mr. Dhananjay Kumar Tiwary

For the Opposite Party/s : Mr. Sri Ram Sumiran Roy

CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

3 11-11-2016 All the above stated petitions arise out of Marhowrah P.S.Case No. 246 of 2016 registered under section 376(D) of the Indian Penal Code and 3/4/16/17 of POCSO Act 2012 and, accordingly, the above stated petitions are being disposed of by this common order.

Heard learned counsel for the petitioners and learned counsel for the informant as well as learned Additional Public Prosecutor for the State.

It is a serious case of gang rape and all the petitioners are named in the first information report. The victim in her statement recorded under section 164 of the Cr.P.C as well as in her further statement supported the story of rape and specifically stated that it was petitioner in Cr. Misc. No. 40566 of 2016, namely, Sanjit Kumar @ Bhola, who committed rape on her in presence of rest of the petitioners and others.

Regard being had to the facts and circumstances of the case, as well as submission of the parties, I am not inclined to release the petitioners on bail and, accordingly, their prayer for bail in connection with Marhowrah P.S.Case No. 246 of 2016, pending in the court of 1st Additional Sessions Judge Saran at Chapra, stands rejected.

(Hemant Kumar Srivastava, J)

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