

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15185 of 2019

Arising Out of PS. Case No.-356 Year-2018 Thana- GAYA MUFASIL District- Gaya

SAURABH KUMAR @ SAURAV KUMAR Son of Sudhir Kumar, Resident
of Village-Surheri, P.S.-Mufassil, District-Gaya, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 23614 of 2019

Arising Out of PS. Case No.-356 Year-2018 Thana- GAYA MUFASIL District- Gaya

PINTU RAVIDAS Son of Faguni Ravidas, Resident of village- Surheri,
Bhadeja, Police Station- Muffasil, District- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 15185 of 2019)

For the Petitioner/s : Mr.Manish Kumar No2

For the Opposite Party/s : Mr.Ashok Kumar

(In CRIMINAL MISCELLANEOUS No. 23614 of 2019)

For the Petitioner/s : Mr.Kumar Dhirendra Pratap Singh

For the Opposite Party/s : Mr.Jitendra Kumar Singh

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 28-05-2019 Heard learned counsel for the petitioners and the
learned APP for the State.

Both the bail applications arise out of same P.S. i.e.
Gaya Muffasil P. S. case no. 356 of 2018, and as such, they have
been heard together and are being disposed of by this common
order.



The petitioners of both applications seek bail in Muffasil P. S. Case No. 356 of 2018 instituted for the offence under Section(s) 376(3), 376DA, 354(D)(ii), 341, 342, 323, 452 and 34 of the Indian Penal Code, Sections 67, 67(A), 67(B) of IT Act and Section 6 of POCSO Act.

Learned counsel for the petitioners has submitted that victim girl has not levelled any allegation of committing rape against these petitioners.

Learned counsel for State has submitted that TIP has been held and the victim has identified these petitioners also with other accused persons.

Case diary has been received, wherein, the TIP chart is available. The victim girl has identified the petitioner, namely Saurabh Kumar @ Saurav Kumar (Cr. Misc. no. 15185 of 2019) in the TIP held for the second time and she had identified the petitioner, namely Pintu Ravidas (Cr. Misc. no. 23614 of 2019) in the TIP held for the third time, but she has not levelled any allegation of committing rape against them. The name of these petitioners along with other accused persons has been disclosed by the informant before the police on the basis of the video footage which got viral. The victim girl has given her statement U/s 164 Cr.P.C., wherein, she has not levelled any



allegation against these petitioners of committing rape with her.
The other co-accused of this case have already been granted bail by co-ordinate Bench of this Court vide orders passed in Cr. Misc. nos. 11316 of 2019, 20460 of 2019, 20060 of 2019 and 20394 of 2019.

Considering the aforesaid, let the petitioners of both cases, above named, be released on bail on furnishing bail bond of Rs. 10,000/-(Ten thousand) each with two sureties of the like amount each to the satisfaction of the A.D.J. 1st cum Spl. Judge (POCSO Act) Gaya, in connection with POCSO case no. 107 of 2018, arising out of Muffasil P.S. case no. 356 of 2018 subject to the condition that both the bailors shall be the close relative of the petitioners.

(Sanjay Priya, J)

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