

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45353 of 2019

Arising Out of PS. Case No.-106 Year-2019 Thana- GAYA MUFASIL District- Gaya

1. SONU KUMAR S/o Birendra Prasad
 2. Sunny Kumar S/o Shri Dharmendra Prasad
- Both are R/o village- Sohaipur, P.S.- Muffasil, District- Gaya

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pawan Kumar Singh, Adv

For the Opposite Party/s : Mr.Nitya Nand Tiwary,APP

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

2 25-07-2019 Heard learned counsel for the petitioners and
learned APP for the State.

Petitioners seek bail in a case registered for the
offences punishable under Section 376(D) of the Indian Penal
Code.

The allegation of commission of gang rape
against the informant is against the FIR named six accused
person. Petitioners are not named in the FIR.

In the statement under Section 164 Cr.P.C., the
victim stated that she was only assaulted by Sonu and Bugesh.
Thereafter, she fell unconscious and she does not know what
happened with her.

Since the petitioners are not named in the FIR



rather name of the rapist alongwith the parentage is disclosed in the FIR, hence, let the petitioners, above named, be released on bail on furnishing bail bonds of Rs.20,000/- (Twenty Thousand) each with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with Muffasil Police Station Case No.106 of 2019, subject to the condition that both bailors shall be resident of territorial jurisdiction of the learned court below and further the petitioners shall fully cooperate with the trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the petitioners.

(Birendra Kumar, J)

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