

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16994 of 2020

Arising Out of PS. Case No.-218 Year-2019 Thana- DAUDPUR District- Saran

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PANKAJ KUMAR GUPTA @ PANKAJ KUMAR SAH S/o Ramchandra Sah
R/village-Kohara Bazar, P.S-Daudpur, District-Saran.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sachida Nand Rai, Advocate.

For the Opposite Party/s : Mr.Tapeshwar Sharma, APP.

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

4 10-09-2020 This matter has been taken up through Video Conferencing.

Heard the parties.

The petitioner is languishing in custody for the offence punishable under Sections 341, 323, 376(D), 447 and 506/34 of the Indian Penal Code and Sections 4/6 of the POCSO Act.

The F.I.R. would reveal that all the named accused persons including the petitioner committed gang rape against the informant, a minor girl. However, in the statement under Section 164 Cr.P.C., the victim stated that three others had ravished her whereas the petitioner and co-accused Ritesh were keeping hold on her at the time of occurrence. Investigation of the case is already complete. There is no material to substantiate that the



petitioner is going to tamper with the evidence or hamper the trial.

Considering the contradictory statement of the victim regarding actual act of the petitioner, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.20000/- (Twenty thousand) with two sureties of the like amount each to the satisfaction of the learned Court-below where the case is pending in connection with Daudpur P.S. Case No. 218 of 2019, with following conditions:

(a) Both the bailors shall be the resident of territorial jurisdiction of the learned Court-below.

(b) The petitioner 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 petitioner.

(c) The petitioner shall not leave the country without permission of the trial Court.

(Birendra Kumar, J)

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