

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 26643 of 2020

Arising Out of PS. Case No.-14 Year-2020 Thana- SASARAM RAIL P.S. District- Gaya

Virendra Prakash Singh @ Birendra Prakash Singh aged about 26 years S/O
Late Birendra Vikram Singh @ Virendra Singh Resident Of Village-
Jehanabad Kudra Chaita Mohalla- P.S.- Kudra, District- Kaimur (Bhabua)

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner : Mr. Krishna Prasad Singh, Senior Advocate and
Mr. Bhaskar Shankar, Advocate
For the Opposite Party : Mr. Addl Public Prosecutor

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 23-11-2020 Heard learned counsel for the petitioner as well as
learned counsel for the State through video conferencing.

The petitioner seeks bail in Sasaram Rail Police
Station Case No. 14 of 2020 registered for the offences
punishable under section 376D of the Indian Penal Code and
section 67A of the I.T. Act.

The informant in her FIR has alleged that on the
midnight of 20.1.2020 she was returning to her house by train.
Meanwhile, finding her alone in the coach, two accused persons
Deepak Singh and the petitioner, closed its windows and locked
the gates. Thereafter, co-accused Deepak Singh committed rape
and the petitioner prepared video clippings of the occurrence.
On the intervention of police on suspicion, they opened the gate.



Petitioner was apprehended on the spot while his accomplice managed to escape.

Learned counsel for the petitioner submits that from perusal of the FIR as well as the section 164 Cr.P.C. statement of the victim it is evident that the allegation of committing rape is on the co-accused Deepak Singh. Charge sheet has also been filed in the case. It is stated in paragraph 3 of the bail petition that the petitioner has got no criminal antecedent. Petitioner is in custody since 22.1.2020.

Learned counsel for the State opposes the prayer for bail and submits that in the FIR the victim has made specific allegation that the petitioner helped his associate Deepak Singh in committing rape on her. Moreover, the petitioner prepared video clippings of the occurrence. The victim in her section 164 Cr.P.C. statement has supported the prosecution case.

In view of the nature as well as the gravity of the offence alleged in the FIR, prayer for bail of the petitioner is refused.

(Prabhat Kumar Singh, J)

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