

**IN THE HIGH COURT OF JUDICATURE AT PATNA  
CRIMINAL MISCELLANEOUS No.48860 of 2021**

Arising Out of PS. Case No.-146 Year-2020 Thana- AANDAR District- Siwan

Deepak Kumar Rajbhar @ Deepak Rajbhar S/o Late Kamaldeo Rajbhar R/o  
village- Bhartoliya, P.S.- Andar, District- Siwan

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Shailendra Kumar Dwivedi  
For the Opposite Party/s : Mr.Ramchandra Sahn

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH  
ORAL ORDER**

2. 23-11-2021 Heard learned counsel for the parties.

The petitioner seeks bail in Sessions Trial No. 268 of 2020, arising out of Andar P.S. Case No. 146 of 2020, registered for the offence under Section 376(D) of the Indian Penal Code and Section 67 of the I.T. Act.

As per the prosecution case, this petitioner alongwith other co-accused persons committed gang-rape with the victim and also made video of the incident viral.

It is submitted on behalf of petitioner that petitioner has been made accused in this case only on the basis of confessional statement of co-accused Amit Kumar Gaur and there is no eye-witness to the occurrence. Petitioner is in custody since 10.09.2020.

However, learned A.P.P. for the State vehemently



opposed the bail petition and submitted that it is a case of gang rape and the victim has supported the prosecution case in her statement recorded under Section 164 Cr.P.C. and this petitioner alongwith other co-accused persons not only committed gang rape, but also made the video of the incident viral.

Considering the nature and gravity of the offence as well as specific allegation against this petitioner, I am not inclined to grant bail to the petitioner and same is, accordingly, rejected.

**(Prabhat Kumar Singh, J.)**

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