

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12327 of 2021**

Arising Out of PS. Case No.-162 Year-2020 Thana- RAJIVNAGAR District- Patna

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MINTU KUMAR @ JINTU KUMAR SON OF RANJEET KUMAR GUPTA
RESIDENT OF MOHALLA - MAURYA PATH, BESIDE SHYAMAL
HOSPITAL, MAGISTRATE COLONY, P.S. RAJIV NAGAR, DISTRICT-
PATNA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Prashant Kumar

For the Opposite Party/s : Mr.A.P.P.

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

2 29-06-2021 This matter is taken up for consideration through
Video Conferencing.

Heard learned counsel for the petitioner and the State.

The petitioner prays for grant of bail in Special Case
no. 101 of 2020 arising out of Rajiv Nagar P.S. Case no. 162 of
2020 registered for the offence punishable under sections 376D,
341, 242, 366A of the Indian Penal Code and sections 4, 6 of the
POCSO Act.

As per prosecution case, victim was returning after
finishing work, this petitioner and two others stopped her and
took her to a lonely place and they committed rape upon her.

It is submitted on behalf of the petitioner that petitioner
is not named in the FIR. Victim in her 164 statement has not



named the petitioner. Till date TI parade has not been held to identify the accused persons. Petitioner has been made accused on the basis of confessional statement of co-accused Roshan Kumar. Petitioner is in custody since 01.06.2020.

However, learned counsel for the State vehemently opposed the prayer for bail and submitted that petitioner along with two other accused committed gang rape and the fact was supported by victim in her 164 statement.

Considering the aforesaid facts and circumstances and nature and gravity of the offence, prayer for bail of the petitioner is rejected.

(Prabhat Kumar Singh, J)

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