

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14764 of 2022

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

DEEPAK KUMAR @ DEEPAK SINGH SON OF NARENDRA SINGH R/O
VILLAGE- JEHANABAD KUDRA, CHAITA MOHALLA, P.S.- KUDRA,
DISTRICT- KAIMUR (BHABHUA)

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manish Kumar No2, Advocate

For the Opposite Party/s : Mr. Ram Anurag Singh, APP

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

5 21-09-2022 A supplementary affidavit has been filed across

the board.

Let it be taken on record.

Heard Mr. Manish Kumar No. 2, learned

Advocate for the petitioner and the learned APP.

The petitioner seeks bail in connection with Rail

Sasaram (Bhabhua Road) P.S. Case No. 14 of 2020

dated 21.01.2020 instituted for the offences under

Section 376(D) of the Indian Penal Code and Section

67(A) of the Information and Technology Act.

The petitioner is in custody since 22.01.2020.



He is alleged to have filmed the act of rape with the prosecutrix in a running train. The person, who perpetrated the crime managed to run away but he has been granted bail by another Bench of this Court.

The petitioner was caught in the running train.

On an earlier occasion when the petitioner had come up before this Court for grant of bail, such request was not acceded to and by order dated 27.07.2022 it was directed that the matter be placed for final consideration after the prosecutrix is examined before the trial court.

By way of supplementary affidavit, the petitioner has brought on record the deposition of the prosecutrix, who has not identified the petitioner and has even denied the factum of rape in the running train.

Considering the aforementioned facts and taking into account that the another co-accused person has been granted bail by a Bench of this Court and the implication of the petitioner is only on the basis of confession, the



petitioner is directed to be released on bail on his furnishing bail bonds in the sum of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Railway Judicial Magistrate, Gaya in connection with Rail Sasaram (Bhabhua Road) P.S. Case No. 14 of 2020.

However, it is cautioned that in case the petitioner does not appear in the trial till its conclusion on two consecutive dates without seeking prior approval of the trial court, the bail granted to him would be liable to be cancelled.

(Ashutosh Kumar, J)

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