

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53936 of 2021

Arising Out of PS. Case No.-126 Year-2021 Thana- DELHA District- Gaya

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Gaurav Kumar Son Of Mithlesh Kumar Yadav Resident Of Chotki Nawada,
Gandhi Mode, P.S. Delha, Distt.- Gaya

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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with
CRIMINAL MISCELLANEOUS No. 53456 of 2021

Arising Out of PS. Case No.-126 Year-2021 Thana- DELHA District- Gaya

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Shrikant Thakur Son of Chhotu Thakur Resident of Village - Shekhpura, P.s.-
Bela, Distt.- Gaya, At present in the house of Khurdshan Kumar at Chhotki
Nawada, P.s.- Delha, Dist.- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

(In CRIMINAL MISCELLANEOUS No. 53936 of 2021)

For the Petitioner/s : Mr.Upendra Kumar

For the Opposite Party/s : Mr.Dilip Kumar No. 1

(In CRIMINAL MISCELLANEOUS No. 53456 of 2021)

For the Petitioner/s : Mr.Ravindra Kumar Sinha

For the Opposite Party/s : Mr.Surendra Kumar

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3. 21-01-2022 Since both the aforesaid cases arise from Delha P.S.
- Case No. 126 of 2021, both the cases were taken-up together
and are being disposed of by this common order.

Heard learned counsel for the parties through video
conferencing.

As per F.I.R., on 22.06.2021 at 1:00 PM, petitioner (in



both the cases) alongwith three unknown person are alleged to have forcibly entered in the house of informant and committed rape with her one-by-one.

It is submitted on behalf of petitioner(s) that petitioners have been falsely implicated in this case. The victim (informant) was medically examined and no sign of rape was found on her person. There is inconsistency regarding presence of son of informant at the place of occurrence. Petitioners are in custody since 24.06.2021.

However, learned A.P.P. for the State opposed the bail petitions and submitted that victim in her statement recorded under Section 164 Cr.P.C. has supported the prosecution case. It is a case of 'gang rape' and petitioners are named in the F.I.R.

Considering the nature and gravity of the offence, both the aforesaid bail petition stand dismissed.

(Prabhat Kumar Singh, J)

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