

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65441 of 2021**

Arising Out of PS. Case No.-50 Year-2021 Thana- MAHILA P.S. District- Saran

RAKESH KUMAR SINGH Son of Late Ganninath Singh Resident of village
- Dighara (Mirjapur), P.S.- Awatarnagar, District - Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Saroj Kumar Singh, Advocate
For the Opposite Party/s : Mr.Dashrath Mehta, APP

**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER**

2 23-05-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks bail in a case registered for the offences punishable under Section 376D of the Indian Penal Code read with Section 67 of the I.T. Act.

Learned counsel for the petitioner submits that the petitioner is in custody since 08.07.2021, is a person with clean antecedent and charge-sheet has been submitted in the case.

The informant alleges that on 23.06.2021, she had gone to attend the call of nature when she was intercepted by six accused persons, further two unknown accused caught her legs and the petitioner committed rape, while Bholu and Bhuar videographed the occurrence, further alleges that one unknown accused had pressed her mouth and after the occurrence, the



accused threatened not to disclose the occurrence to anyone or else the video would be made viral, further her husband saw the video on 25.06.2021 but due to fear her husband did not lodge F.I.R. but the informant on 29.06.2021 instituted the F.I.R.

Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case and co-accused Sujit Kumar @ Pandit Singh has been granted bail vide order dated 18.05.2022 passed in Cr. Misc. No. 56748 of 2021.

Learned A.P.P. for the State vehemently opposes the prayer for bail of the petitioner and submits that co-accused Sujit Kumar @ Pandit Singh was not named in the F.I.R., his name came during the course of investigation in the confessional statement of co-accused, the allegation of rape is against the petitioner which is also recorded in the order dated 18.05.2022 granting bail to Sujit Kumar @ Pandit Singh, it is further submitted that the offence is very serious and heinous in nature as Rakesh (petitioner) committed rape while Bholu and Bhuar were videographing the occurrence and the husband even saw the viral video that in itself demonstrates that the occurrence had taken place as video was made viral.

Considering the submissions made by the learned A.P.P. for the State, the Court is not inclined to grant bail to the



petitioner. His prayer for bail is thus rejected.

(Satyavrat Verma, J)

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