

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17783 of 2023

Arising Out of PS. Case No.-209 Year-2022 Thana- RAMKRISHNANAGAR District- Patna

Pramod Kumar Son Of Umesh Prasad Resident Of Village - Ramkrishna
Amardip Nagar, P.S. - Ramkrishna Nagar, Distt. - Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. N.K. Agrawal, Sr. Advocate Mr. Amresh Kumar Sinha, Advocate Mr. Saroj Kumar Sinha, Advocate
For the Opposite Party/s	:	Mr. Surendra Prasad Singh, Advocate

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

3 03-08-2023 Learned counsel for the petitioner is permitted to remove defect (s), as pointed out by the office, if any, within a period of four weeks on resumption of physical mode.

2. Heard learned counsel for the petitioner and learned A.P.P for the State.

3. The petitioner has preferred this application for grant of regular bail in connection with Ram Krishna Nagar P.S. Case No. 209 of 2022 dated 07.05.2022 registered for the offences u/s 376D read with section 34 of the Indian Penal Code and 25(1-b)a, 26 and 35 of the Arms Act.

4. As per the prosecution case, the petitioner and the co-accused persons are alleged to have committed rape on the



informant one after another on the point of pistol.

5. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. There is general and omnibus allegation against the petitioner. Learned counsel has further submitted that as per medical report, the doctor has opined that there is no mark of violence seen in the private part of the victim. Similarly situated co-accused has already been granted bail by the co-ordinate bench of this court *vide* order dated 19.06.2023 passed in Cr. Misc. No. 2225 of 2023. The petitioner has clean antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 08.05.2022.

6. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

7. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Patna in connection with Ram Krishna Nagar P.S. Case No. 209 of 2022, with the condition/s:-

(i). The petitioner is directed to remain physically



present before the learned Court below on each and every date,
failing which on two consecutive dates without reasonable
cause, the bail bond of the petitioner is liable to cancelled.

8. The application stands allowed.

(Chandra Prakash Singh, J)

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