

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35422 of 2022

Arising Out of PS. Case No.-146 Year-2020 Thana- AANDAR District- Siwan

ANIL GOND Son of Late Rajkishore Gond Resident of Village - and PO.-
Jayjor, P.s.- Andar, Distt.- Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ranjan Kumar Dubey, Advocate

For the Opposite Party/s : Mr. Navin Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

5 16-03-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for regular bail in a case registered for the offence punishable under section 376(D) of the IPC and Section 67(A) of the I.T. Act.

Prosecution case relates to gang rape of the victim lady by the petitioner.

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case. Although petitioner is named in the FIR but the victim has not whispered the name of the petitioner for any offence in her statement recorded u/s 164 Cr.P.C.. rather she has stated that unknown person has committed wrong with her. As per medical report, doctor has



opined that no sign of rape was found. Petitioner has not been put on TIP. Similarly situated other accused person has already been granted bail by another coordinate Bench of this Court vide order dated 5.9.2021 passed in Cr. Misc. No. 53836 of 2021. It is further submitted that the petitioner is languishing in judicial custody since 26.08.2020.

Learned APP appearing for the state has opposed the prayer of regular bail.

Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with S.T. No. 268 of 2020 arising out of Aandar P.S. Case No. 146 of 2020 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Session Judge-1st-cum-Special Court, Siwan.

(Sunil Kumar Panwar, J)

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