

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.59350 of 2023**

Arising Out of PS. Case No.-78 Year-2023 Thana- MUNGER MUFFASIL District- Munger

GAUTAM SINGH son of Rajaram Singh Village- Bhelwa Diyara Ps-  
Muffassil Dist- Munger

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Arvind Kumar Singh

For the Opposite Party/s : Mr.Brajendra Nath Pandey

**CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR**  
**ORAL ORDER**

2      08-09-2023                      Heard learned counsel for the petitioner and learned  
APP for the State.

2. The petitioner has prayed for regular bail in a case  
instituted for the offence under Sections 376 and 34 of the  
Indian Penal Code and Sections 4 and 8 of the POCSO Act.

3. The allegation against the petitioner along with  
others is of committing rape upon the informant.

4. It is submitted by learned counsel for the petitioner  
that petitioner has been falsely implicated in this case. He has  
committed no offence. He submitted that there is no specific  
allegation against the petitioner rather the specific allegation of  
commission of rape upon the victim is against co-accused  
Chandan Kumar and Deepak Kumar. There is no complaint with  
regard to physical assault, sexual abuse/misbehave against the



petitioner to the victim girl. He further submitted that the other co-accused has already been granted bail by a Co-ordinate Bench vide order dated 03.08.2023 passed in Cr. Misc. No. 47129 of 2023. Petitioner has got no criminal antecedent as stated in para-3 of the bail petition. He is languishing in judicial custody since 14.03.2023.

5. The application for bail is opposed by learned APP for the State.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as period of custody, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Court below in connection with Munger Muffasil P.S. Case No. 78 of 2023.

**(Sunil Kumar Panwar, J)**

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