

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63028 of 2022

Arising Out of PS. Case No.-531 Year-2019 Thana- SASARAM NAGAR District- Rohtas

SHUBHAM KUMAR SINGH Son of Ashok Singh Resident of Village-
Sadokhar, P.S.- Chenari, District- Rohtas

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Brajesh Prasad Gupta, Advocate.

For the Opposite Party/s : Mr.Binay Krishna, S.P.P.(S.C./S.T.)

Mr.Rabindra Kumar, Advocate.

Smt.Shailja, Advocate

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 08-05-2023 Heard learned counsel for the petitioner, State and
informant.

The petitioner apprehends his arrest in a case registered for the offence under Sections 376(D), 379/34 of the Indian Penal Code, Section 4 / 8 of the POCSO Act and Section 3(1)(r)(s) of the SC/ST Act.

There is allegation of ‘gang rape’ against this petitioner.

It is submitted on behalf of petitioner that petitioner has been falsely implicated in this case and police, after investigation, submitted final form against the petitioner. It is further submitted that in fact, on the alleged date of occurrence i.e. 19.06.2019, petitioner was in Bhopal (M.P.) for his examination. Petitioner claims clean antecedent.



However, learned Special P.P. for the State and learned counsel for the informant vehemently opposed the prayer for bail of petitioner and submitted that there is specific and direct allegation against this petitioner of commission of rape. The victim, in her statement recorded under Section 164 Cr.P.C., has fully supported the prosecution case and stated that on the alleged date, this petitioner alongwith his friend (co-accused) Bittu Kumar committed rape upon her and also took away cash of Rs. 20,000/- and some ornaments from her house. It is next submitted that bail application of co-accused Bittu Singh has already been rejected by a coordinate Bench of this Court, vide order dated 25.04.2023 passed in Cr.Misc. No. 67367 of 2022.

Considering the nature of accusation and the fact that bail petition of co-accused has already been rejected, the prayer for anticipatory bail of petitioner is rejected.

(Prabhat Kumar Singh, J)

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