

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68194 of 2023

Arising Out of PS. Case No.-385 Year-2023 Thana- LAKHISARAI District- Lakhisarai

Binod Kumar Gupta S/O Late Saryug Sao @ Late Saryug Sah R/O Village-
Jai Nagar, Lali Pahari Ward No. 33, P.S- Kabaiya, Distt.- Lakhisarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajesh Kumar Mishra

For the Opposite Party/s : Mr. Atul Chandra

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 18-10-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor appearing on behalf of the State.

2. The petitioner seeks regular bail in connection with
Lakhisarai P.S. Case No. 385 of 2023, registered for the offence
punishable under Sections 376, 354 (A)(B)(C)(D), 506, 120(B)
of the Indian Penal Code and under section 6, 10 and 12 of the
POCSO Act.

3. As per prosecution, the present case is of allegation
of rape. The main allegation against co-accused Amit Kumar
and his wife who has committed the rape and made video. It has
been submitted by learned counsel for the petitioner that the
Sahiba Kumari, wife of Amit Kumar has been granted bail by a
co-ordinate Bench of this Court vide order dated 21.09.2023
passed in Cr. Misc. No. 59446 of 2023. The petitioner was
working in the Saryug Hotel. He has provided room to the Amit



Kumar and his wife. The petitioner is in jail since 25.05.2023. Binay Kumar Gupta, owner of the Saryug Hotel has been granted bail vide order dated 20.09.2023 passed in Cr. Misc. No. 57757 of 2023.

4. Learned APP has vehemently opposed the prayer for bail.

5. Considering the fact that the owner of the hotel has been granted bail, this application is allowed.

6. Let the petitioner, above named, be released on bail after framing of charge, on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge-VI-cum-Special Judge, POCSO Court, Lakhisarai in connection with Lakhisarai P.S. Case No. 385 of 2023.

7. This is also subject to the condition that the petitioner would cooperate in the proceeding of the court below. In the event of failure to appear on two consecutive dates, the court below will be at liberty to pass appropriate order including cancellation of bail bonds of the petitioner.

(Sandeep Kumar, J)

Ranjeet/-

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