

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66389 of 2022

Arising Out of PS. Case No.-22 Year-2021 Thana- MAHILA P.S. District- Siwan

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SUJEET RAJBHAR S/O RAMBALI RAJBHAR @ RAM BALI Resident of
village- Nawka Tola, P.S.- Mairwa, District- Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ranjan Kumar Dubey

For the Opposite Party/s : Mr.Tarun Prasad Mandal

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

3 04-01-2023 Heard the parties.

Petitioner renews his prayer for regular bail in connection with Siwan Mahila P.S. Case No. 22 / 2021 registered under Section 376(DA) of the IPC and Section 4 / 6 of the POCSO Act inasmuch earlier bail application of the petitioner was rejected *vide* Cr. Misc. No. 48691 of 2021 by order dated 28/04/2022.

Learned counsel for the petitioner submits that similar allegation of gang rape is levelled against five accused persons and as per the FIR the co-accused /Madhav Gupta had developed friendship with the victim girl and on the call of Madhav Gupta the victim allegedly arrived at the



orchard where all the accused persons allegedly committed rape upon her. Learned counsel next submits that similarly situated main accused namely, Madhav Gupta and Kalindra @ Guddu Baitha have been granted anticipatory bail by a Co-ordinate Bench of this court vide Cr. Misc. 64009 of 2021 & 60236 / 2021 (Annexures- 3 & 4) respectively. The petitioner is in custody since 10.04.2021, trial has already begun and victim has been examined during course of trial as P.W.-1.

Taking into consideration the fact that similarly situated accused persons have been granted bail by a Co-ordinate Bench of this court and the victim has been examined during the course of trial, as such, I am inclined to grant regular bail to the petitioner.

Let the petitioner, above named, be released on regular bail on furnishing bail bond of Rs. 10000 /- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Spl. Judge, POCSO, Siwan in connection with Siwan Mahila P.S. Case No. 22 / 2021 on the condition that the petitioner shall remain physically present on each and every date during the course of trial and



in case of default on two consecutive dates, his bail bond shall liable to be cancelled.

(Anil Kumar Sinha, J)

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