

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73197 of 2023

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

Mannu Gond @ Mannu Kumar Son Of Girdhari Gond Resident Of Village-
Navaka Tola, Ps- Mairwa, Dist- Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Chandra Shekhar

For the Opposite Party/s : Mr.Nawal Kishore Prasad

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 28-11-2023 Heard learned counsel for the petitioner and

learned APP for the State.

The petitioner is languishing in custody in a case registered for the offences punishable under Sections 376(D) of the Indian Penal Code and Section 4/6 of the POCSO Act.

As per the prosecution case, co-accused Madhav Gupta had developed friendship with the victim girl and on the call of Madhav Gupta, the victim alleged arrived at the orchard where all the accused persons including the petitioner allegedly committed rape upon her.



It is submitted by learned counsel for the petitioner that petitioner is innocent and he has falsely been implicated in this case. For the alleged occurrence of 04.04.2021, F.I.R was registered on 09.04.2021 without explaining the delay. The injury report also does not suggest rape/gang rape. Moreover main co-accused Madhav Gupta has been granted bail by a coordinate Bench of this Court vide order dated 10.10.2022 passed in Cr. Misc. No. 64009 of 2021. The petitioner is languishing in custody since 16.06.2023. A statement has been made in para 3 of the petition that petitioner has no criminal antecedent.

In contra, learned A.P.P appearing on behalf of the State has vehemently opposed the prayer for bail of the petitioner.

Considering the facts aforesaid and the period under custody, let the petitioner, above named, be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousands) with two sureties of the like amount



each to the satisfaction of learned Additional Sessions Judge-VI-cum-Special Judge, POCSO, Siwan in connection with Siwan Mahila P.S. Case No. 22 of 2021 (POCSO Trial No. 81/2023).

(Sunil Kumar Panwar, J)

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