

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73576 of 2022

Arising Out of PS. Case No.-34 Year-2022 Thana- SUHAIL District- Gaya

1. AKHILESH BHUIYAN @ AKHLESH BHARTI S/o Late Ramdas Bhuiyan
2. RANDHIR BHUIYAN S/o Late Bandhu Bhuiyan
3. SONU BHUIYAN S/o Rambali Bhuiyan
All R/o- Sewti Tola Nokhila, P.S.- Sohail Salaiya, Post- Salaiya, District- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Promad Kumar Singh, Advocate

For the Opposite Party/s : Mr. Anil Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 17-04-2023 Heard learned counsel for the petitioners and the learned APP for the State.

The petitioners are in judicial custody in connection with Sohail P.S. Case No. 34 of 2022 instituted under Sections 341, 342, 504, 506 and 376DA/34 of the I.P.C. read with Section 4/6 of POCSO Act lodged on 06.11.2022 by the informant Bhagwaniya Devi.

As per the FIR, the mother of the informant, in the night of 31.10.2022, her victim minor daughter went outside the house in order to attend the call of nature. Three persons were hiding under a tree who caught the victim, took her to a field situated about 300 meters away and committed rape. When the victim raised alarm, they assaulted her and further threatened



her that if she disclose about the incident, she would be killed. Victim returned at 2 AM to her house and upon enquiry by her son, she disclosed about having been raped by the petitioners herein. Accordingly, the FIR.

Taking into account the fact that the petitioners are the three accused against whom the allegation has been made by the victim girl 'A', their role in the alleged taking away of the girl where-after commitment of rape was done, as alleged by the victim girl cannot be overlooked.

In that view of the matter, this Court is not inclined to grant bail to any of the three petitioners.

Accordingly, the petition stands dismissed.

(Rajiv Roy, J)

Prakash Narayan /-

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