

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7856 of 2024

Arising Out of PS. Case No.-43 Year-2023 Thana- SAHARGHAT District- Madhubani

SONU KUMAR @ SHUBHAM KUMAR S/O SURENDRA SAH R/O
VILLAGE- SALEMPUR, P.S- SAHARGHAT, DISTT.- MADHUBANI.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Sarvadeo Singh
For the Opposite Party/s	:	Mr. Usha Kumari 1
For the informant	:	Mr. Shailendra Kumar Jha

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

3 16-04-2024 Heard the learned counsel for the petitioner, learned
counsel for the informant and learned APP for the State.

2. The petitioner seeks regular bail in a case registered for the offence under Sections 376(D.A.) of the Indian Penal Code and Section 4/6 of the POCSO Act and Sections 3(I)/(r) (s) (w-ii)/3(2)/(v) of the SC/ST Act.

3. As per the F.I.R., petitioner and others are said to have committed gang rape with the victim girl who is a minor.

4. Learned counsel for the petitioner relying on the statement of the victim girl recorded under Section 164 of the Cr.P.C. has submitted that the petitioner is not the person who has participated in the rape of the victim girl.

5. Learned counsel for the informant has



vehemently opposed the prayer for bail and has submitted that the victim girl in her statement recorded under Section 164 of the Cr.P.C. has said that all the accused persons had raped her.

6. Learned A.P.P. has also opposed the prayer for bail.

7. Considering the fact that it is a case of gang rape of a minor in which the petitioner has participated, I am not inclined to grant bail to the petitioner.

8. Accordingly, this application for regular bail is dismissed. The court below is directed to expedite the trial of the petitioner.

9. If the trial is delayed, the petitioner may renew his prayer for bail.

(Sandeep Kumar, J)

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