

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22313 of 2024

Arising Out of PS. Case No.-609 Year-2023 Thana- GANDHIMAIDAN District- Patna

1. DEEPAK PANDEY @ DEEPAK KUMAR PANDEY S/O SRI RAJ NARAYAN PANDEY R/O VILLAGE- PIRPATI, P.S- PIRPATI, DISTT.- BHAGALPUR.
2. NEERAJ KUMAR S/O SRI RAM DEEP SINGH R/O VILLAGE- 55, NAYA TOLA, WARD NO. 15, SAGUNA MORE, P.S- DANAPUR, DISTT.- PATNA.
3. SANTOSH KUMAR S/O POKHRAJ SINGH R/O VILLAGE- NARGADA, P.S- SHAHPUR. DISTT.- PATNA.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. Nikita Tiwary W/o-Chandan Kumar R/O Moh- Gola Road Opposite- ICICI Bank PS- Rupaspur Dist-Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sunil Kumar
For the Opposite Party/s : Mr. Amitesh Kumar
For the Informant : Mr. Rajendra Narain, Sr. Advocate

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

5 26-10-2024 1. Heard learned counsel for the petitioners, learned
A.P.P. for the State and the learned Senior counsel appearing on
behalf of the informant.

2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 341, 323, 354(B), 379, 376, 511, 504, 506 and 34 of the Indian Penal Code.

3. Learned counsel for the petitioners submits that petitioners are persons with clean antecedent and the informant



alleges that she along with her partner were called by Deepak of Asthanu Buildcon at the Registry office, Patna on the pretext of discussion with regard to a property, accordingly, informant along with her partner reached the Registry Office at 03:00 PM, when petitioner along with 10-15 unknown accused came, whom informant can identify, if she sees their faces, further Deepak forcefully asked her to sign on some blank paper, on objection Neeraj put pistol on her breast, while Santosh held both her hands from behind, thereafter Deepak fondled with her breast and pulled her cloths, further Neeraj touched her inappropriately, next alleges that Deepak and Neeraj pulled her inside her own car and thereafter Neeraj pressed her mouth and Santosh caught her legs and Neeraj disrobed her and started forcing himself upon her, thereafter Deepak, Neeraj and Santosh touched her inappropriately at inappropriate places, further she managed to get out of the car and fled towards her partner whom 5-7 accused had caught from before and thereafter all the accused assaulted them.

4. Learned Senior counsel appearing on behalf of the informant, at the outset, submits that he has instruction of the informant not to oppose the anticipatory bail application of the petitioners.



5. Considering the submissions made by the learned Senior counsel appearing on behalf of the informant, the petitioners above-named, in the event of their arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 5,000/- (Rupees Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Gandhi Maidan P.S. Case No. 609 of 2023 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

6. Accordingly, the instant anticipatory bail application is allowed.

(Satyavrat Verma, J)

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