

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68689 of 2023

Arising Out of PS. Case No.-2 Year-2023 Thana- MAHILA P.S. District- Bhojpur

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1. SAROJ DOM son of Kishan Dom @ Krishna Dom Village- Kalyanpur Ps-Bihia Dist- Bhojpur
 2. Chhotu Dom son of Kishan Dom @ Krishna Dom Village- Kalyanpur Ps-Bihia Dist- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dharmesh Kumar Shrivastava

For the Opposite Party/s : Mr.Ashok Kumar Singh

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 09-01-2024 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners seek regular bail in connection with Mahila Ara P.S. Case No. 02 of 2023 registered for the offence under Sections 376D/34 of the IPC and Sections 67, 67(a) of the I.T. Act Act.

3. It is case of commission of gang rape against the informant by all the FIR named accused persons including the petitioners. It is alleged that co-accused Ankit Bin had made video of the wrong doing act.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have committed no offence. They



have falsely been implicated in this case. From perusal of FIR, there is general and omnibus allegation against the petitioners. For the alleged occurrence of 13.1.2023, the FIR was registered on 15.1.2023 without explaining the delay. The victim is a married woman aged above 19 years having a child. The medical report of the victim annexed with the case diary, does not suggest any recent sexual assault upon the victim. It is also submitted that the victim is a woman of questionable character. The petitioners have got no criminal antecedent and are languishing in judicial custody since 16.1.2023. Moreover, similarly situated co-accused persons namely, Chandan Dhanuk @Chandan Kumar and Aman Bin have already been granted bail by this Court vide order dt. 3.101.2023 passed in Cr. Misc. No. 59955 of 2023.

5. Learned APP appearing for the state has opposed the prayer of regular bail.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as custody period of the petitioners, this court is inclined to enlarge them on bail. The above named petitioners are directed to be released on bail in connection with Mahila Ara P.S. Case No. 2 of 2023 on furnishing bail bond of Rs.10,000/- (ten thousand)



each with two sureties of the like amount each to the satisfaction
of learned Additional District and Sessions Judge-X, Bhojpur at
Ara.

(Sunil Kumar Panwar, J)

Amandeep/-

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