

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22388 of 2025

Arising Out of PS. Case No.-48 Year-2020 Thana- CHAORI District- Bhojpur

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1. Rakesh Kumar @ Rakesh Saw S/o- Ramyash Saw Village- Andhari Ps- Chauri Dist- Bhojpur
 2. Rupesh Kumar @ Rupesh Saw S/o- Ramyash Saw Village- Andhari Ps- Chauri Dist- Bhojpur

... .. Petitioner/s

Versus

1. The State of Bihar
2. Nishu Kumari Daughter of Upendra Rai R/o Vill- Andhari, P.S.- Chaori, Distt. - Bhojpur.

... .. Opposite Party/s

Appearance :

For the Petitioners	:	Mr. Akash Kumar Mishra
For the State	:	Mr. Chandra Sen Prasad Singh
For the OP-2	:	Mr. Aditya Nath Pandey, Aprajita Kumar and Yeshoneel Ratnam.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 18-07-2025 Heard learned counsel for the petitioners, learned

A.P.P. for the State and learned counsel for opposite party no. 2.

2. The petitioners seek bail in Chauri P.S. Case No. 48/2020, registered for offence under Sections 376, 201, 120B of the Indian Penal Code and Sections 8/10 of POCSO Act.

3. As per prosecution case, these petitioners alongwith co-accused Shubham committed gang rape with informant.

4. Learned counsel for the petitioners submits that petitioners are innocent and have committed no offence. As a matter of fact, during restatement at belated stage and in



statement recorded under Section 164 Cr.P.C., the informant has named these petitioners and co-accused Shubham under family pressure with ulterior motive. Petitioners are in custody since 18.01.2025 and 29.01.2025 respectively.

5. However, learned counsel for informant/opposite party no. 2 vehemently opposes the prayer for bail and submits that the victim (informant, in her statement recorded under Section 164 Cr.P.C., has specifically stated that these petitioners alongwith co-accused committed gang rape. During trial, the victim in her deposition, has supported the case and also identified these petitioners.

6. Considering the nature of accusation and statement of the victim recorded under Section 164 Cr.P.C., the prayer for bail of petitioner is rejected.

(Prabhat Kumar Singh, J)

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