

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28622 of 2022

Arising Out of PS. Case No.-105 Year-2019 Thana- TARAPUR District- Munger

CHIRANJEET KUMAR Son of Binod Singh Resident of Village - Gogachak,
P.S.- Tarapur, District - Munger.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Dilip Kumar No. 1, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

4 18-01-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks bail in a case registered for the offences punishable under Sections 376, 354B, 354C and 34 of the Indian Penal Code and 66E of the Information Technology Act.

Learned counsel for the petitioner submits that petitioner is a person with clean antecedent and is in custody since 07.02.2022 and the informant (Police Officer) alleges that on the basis of a viral rape video one Rupesh Kumar was apprehended and the said apprehended accused disclosed the name of the petitioner as being involved in the occurrence as he had recorded the alleged acts.

Learned counsel for the petitioner submits that petitioner has been falsely implicated in the present case based on confessional statement of Rupesh Kumar in police custody which



does not have any evidentiary value, it is next submitted that even the unknown lady never came forward nor the police was even able to locate her, it is also submitted that as far as the allegation against this petitioner as alleged is not of rape but of video recording the occurrence.

Learned counsel for the petitioner next submits that admittedly the name of this petitioner transpired in the confessional statement of a co-accused which does not have any evidentiary value as aforesaid.

Learned A.P.P. for the State opposes the prayer for bail of the petitioner.

Considering the submission made by the learned counsel for the petitioner, the petitioner above-named is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Tarapur P.S. Case No. 105 of 2019.

(Satyavrat Verma, J)

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