

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.42085 of 2015

Arising Out of PS.Case No. -686 Year- 2014 Thana -TURKAULIYA District-
EASTCHAMPARAN(MOTIHARI)

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Awadhesh Kumar S/o Brahmdeo Sah Resident of Village Singhiya Sagar,
P.S. Banjaria, District East Champaran.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Jitendra Narain Sinha

For the Opposite Party : Mr. L.K.Sharma(App)

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 03-11-2015 Heard the counsel for the petitioner and counsel for the

State.

The petitioner is languishing in jail since 04.08.2015 in
a case instituted under Sections 147, 341, 323, 376/511 and 379
of the Indian Penal Code and Section 4 of the Prevention of
Children from Sexual Offences Act, 2012.

As per prosecution case, it is a case of attempt of rape
upon the informant as well as assault and also theft of Rs.5,000/-
from the pocket of the father of the informant, namely, Lalu Sah
by the accused persons.

It has been submitted on behalf of the petitioner that
the petitioner is in custody since 04.08.2015. There is no
allegation of tampering of evidence against the petitioner. From

perusal of paras 10 and 11 of the case diary, it would appear that three days prior to the institution of the case, there was some hot exchange of words between the parties and due to the said reason, the present case has been instituted against the petitioner and other family members of the petitioners. The injuries sustained by the father of the informant is said to be simple in nature.

On behalf of the State, it has been submitted that the petitioner is named in the FIR.

Considering the aforesaid facts and circumstances, let the above named petitioner be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Ist Additional Sessions Judge, Motihari, East Champaran in connection with Turkaulia (Banjaria) P.S.Case No.686 of 2014.

(Sudhir Singh, J)

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