

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.24968 of 2016**

Arising Out of PS.Case No. -42 Year- 2016 Thana -BATHNAHA District- SITAMARHI

=====

Krishna Kishore Son of Bindeshwar Rai Resident of village- Sirsia, P.S.-  
Bathnaha, District-Sitamarhi

.... .... Petitioner

Versus

The State of Bihar

.... .... Opposite Party

**Appearance :**

For the Petitioner : Mr. Mukul Prakash, Advocate  
For the Opposite Party : Mr. Md. A.Haque Sahara, APP

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**CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH**  
**ORAL ORDER**

4      09-08-2016                      A supplementary affidavit has been filed on behalf of  
  
the petitioner, same is kept on record.

Heard learned counsel for the petitioner and learned  
counsel for the State.

The petitioner is in custody in connection with  
Bathnaha P.S.Case No.42 of 2016 registered for an offence under  
Sections 376 and 511 of the IPC and Section 4 of the Protection of  
Children from Sexual Offences Act, 2012.

As per the prosecution case, it is a case of attempt of  
rape upon the informant by the accused persons.

Learned counsel for the petitioners submits that the  
petitioner is in custody since 31.03.2016. Chargesheet has been  
submitted in the case. There is no allegation of tampering of

witnesses alleged against the petitioner. Petitioner and the informant are the agnates. There is a title suit pending between the parties. Chargesheet was submitted for bailable offences under Sections 323, 354 and 354D of the IPC. The learned court below differed with the said police report and has taken cognizance under non-bailable offence.

On behalf of the State, it is 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 **Additional Sessions Judge-Ist, Sitamarhi** in connection with **Bathnaha P.S.Case No.42 of 2016**.

(Sudhir Singh, J)

B.Kr./-

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