

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.12219 of 2016

Arising Out of PS.Case No. -125 Year- 2015 Thana -BARARI District- KATIHAR

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Bikas Yadav Son of Late Satan Yadav, Resident of village- Bhawanipur,
P.S.- Rangra, District- Bhagalpur

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dilip Kumar

For the Opposite Party/s : Mr. Sahin Begum (App)

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

2 29-03-2016 Heard learned counsel for the petitioner as well as

learned Additional Public Prosecutor for the State.

Petitioner is languishing in jail custody since 26-07-
2015 in a case registered under Sections-448, 376 read with
Section-511 of the Indian Penal Code.

It is alleged that the petitioner, having entered into
house of the informant, made attempt to commit rape upon her but
he was caught by the informant and others.

Contention on behalf of the petitioner is that
petitioner was going by his motorcycle in intoxicated state but
unfortunately, some technical fault occurred in the motorcycle of
the petitioner and when the petitioner tried to awoke the
informant's father-in-law, the informant's father-in-law and others

mercilessly assaulted the petitioner under impression of thief and subsequently, with an intent to save their skin, they got instituted the present case by the informant.

Learned counsel for the petitioner submits that petitioner has also lodged Barari P.S. Case No. 126 of 2015 against the father-in-law of informant and others.

No doubt, petitioner carries criminal antecedent of several cases but considering the facts and circumstances of the present case as well as submission of the parties, let the petitioner named above, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each in connection with Barari P.S. Case No. 125 of 2015 to the satisfaction of learned Chief Judicial Magistrate, Katihar.

(Hemant Kumar Srivastava, J)

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