

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.8901 of 2022**

Arising Out of PS. Case No.-480 Year-2021 Thana- BHABHUA District- Kaimur (Bhabua)

KRISHNA SINGH @ KRISHNA KUMAR Son of Vijay Singh  
Chandravanshi Resident of Village - Sawar, P.S.- Karamchat, Distt.- Kaimur  
at Bhabua.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Ashutosh Tripathy

For the Opposite Party/s : Mr.Anil Kumar Singh No. 1

**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA**  
**ORAL ORDER**

5      26-09-2022                      Let the defects, as pointed out by the office, be removed within four weeks of starting of Court proceeding in physical mode in normal course.

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

The petitioner seeks bail in a case registered for the offence under Sections 363,376 of the Indian Penal Code.

Learned counsel appearing for the petitioner submits that the petitioner has clean antecedent. He has falsely been implicated in the present case. He further submits that in fact the petitioner is not named in the FIR. The name of the petitioner has been transpired during investigation. Further submits that initially the case has been instituted under Section



363 of IPC but the statement of the victim was recorded, Section 376 of IPC was added. Further submits that in fact the victim is not a minor girl, she is about 33 years old lady and she is mother of two children. Further submits that the victim has gone Utrakhand alongwith the petiitoner and one Gulbasa Pravin from her freewill and stayed thereat to one month in hotel and other places but she did not raise any alarm to entire period and after recovery she changed her statement and re-statement of the victim under Section 164 Cr.P.C. is against the petitioner and the police, after investigation, submitted chargesheet against the petitioner and the petitioner is in custody since 07.10.2021.

Learned APP for the State has opposed the prayer for bail of the petitioner.

Considering the fact and circumstances of the case, let the petitioner, above named, 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 court below where the case is pending in connection with Bhabhua P.S.Case No.480 of 2021 with the following conditions:-

(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and



on his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

(2) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(3) And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

**(Rajesh Kumar Verma, J)**

Nitesh/-

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|

