

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.37571 of 2015

Arising Out of PS.Case No. -111 Year- 2014 Thana -MOTIHARI MUFASIL District-
EASTCHAMPARAN(MOTIHARI)

=====

Shambhu Sahani S/o - Faguni Sahani

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Rajeev Ranjan, Advocate

For the Opposite Party/s : Mr. R.B.Roy Raman(App)

=====

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

4 07-10-2015

Heard learned counsels for the petitioner and the

State.

The petitioner is apprehending arrest in a case
registered for the offences punishable under Sections
366A/504/506/120 of the Indian Penal Code.

Accusation is of kidnapping the minor daughter of the
informant. In 164 Cr.P.C. statement the victim got her age
recorded as 15 years when the learned court below also assessed
as such whereas the victim was found between 18-19 years of
age as per the medical assessment. In 164 Cr.P.C. the victim has
stated that she was being kidnapped by this petitioner and co-
accused Nagendra Sahni, who ravished her.

It is submitted by learned counsel for the petitioner
that in fact it is a matter of love affair and the medical report

does not suggest any sexual assault. Moreover, accusation of ravishing the informant is against co-accused Nagendra Sahani and the petitioner has been roped in the present case since he is brother of co-accused Nagendra Sahni. A statement has been made in paragraph 3 of the petition that the petitioner has no criminal antecedent.

The aforesaid facts constitute ground for consideration of prayer for regular bail. Let the learned Court below consider the prayer for regular bail of the petitioner, if the petitioner surrenders within a period of six weeks in connection with Motihari Muffasil P.S. Case No.111 of 2014, pending before the learned SDJM, Motihari, East Champaran.

With the above observation, this application is, accordingly, disposed off.

Ashwini/-

(Dinesh Kumar Singh, J)

U		T	
---	--	---	--