

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.17572 of 2015

Arising Out of PS.Case No. -250 Year- 2014 Thana -KHODAWANPUR District- BEGUSARAI

1. Binay Kumar Sahni
2. Nitin Kumar Sahni
3. Chandan Sahni @ Chandan Kumar Sahni
All sons of Asharfi Sahni

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arun Kumar, Advocate

For the Opposite Party/s : Mr. Ram Shankar Das(Spl.App)

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

2 15-05-2015 Heard learned counsels for the petitioners and the State.

The petitioners are apprehending arrest in a case registered for the offences punishable under Sections 376/511/323/452 of the Indian Penal Code though chargesheet has been submitted under sections 341, 323, 504, 354/34 of the Indian Penal Code and section 3(1) (x) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.

It is alleged that petitioner no.1 Binay Kumar Sahni entered into the house of the informant and tried to establish forceful physical relationship. On alarm being raised by the informant, petitioner no.1 tried to flee away but was apprehended by the witnesses when other accused came there and got him

released and assaulted the informant by calling her caste name.

It is submitted by learned counsel for the petitioners that maliciously the accusation has been levelled by the informant under section 376 and 511 of the of the Indian Penal Code. Moreover, the occurrence took place inside the house of the informant, no offence under section 3(1) (x) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act is made out.

Considering the accusation being specific against petitioner no.1 Binay Kumar Sahni, this court is not inclined to grant him anticipatory bail.

Let the learned Court below consider the prayer for regular bail of the petitioner no.1 Binay Kumar Sahni, if he surrenders within a period of six weeks.

With the above observation, this application with respect to petitioner no.1 is, accordingly, disposed off.

So far as petitioner nos. 2 and 3 are concerned, there is no specific accusation against them, let them be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of 12 weeks from today, on furnishing bail bond of ₹10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned

Judicial Magistrate, 1st Class, Begusarai in connection with
Khodawandpur P.S. Case No. 250 of 2014, subject to the
conditions as laid down under Section 438(2) Cr.P.C.

Ashwini/-

(Dinesh Kumar Singh, J)

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