

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.27801 of 2016

Arising Out of PS.Case No. -163 Year- 2015 Thana -KHODAWANPUR District- BEGUSARAI

Santosh Sahni, Son of Late Ghuran Sahni, Resident of Village- Ekamba,
Shekh Tola, P.S- Khodabandpur, (Chourahi O.P.), District: Begusarai.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA
ORAL ORDER

2 14-07-2016 Heard learned counsel for the petitioner and the learned A.P.P.
for the State.

The petitioner seeks bail in connection with Khodabandpur
P.S. Case No.163 of 2015 registered under Section 376(G) of the
Indian Penal Code and later on added Sections 6/8 of the POCSO Act.

The accusation is that in course of moving the
victim/informant towards the grocery shop, this petitioner caught hold
of her and carried her to a Maize field, where he committed rape on
her on the point of dagger. Again after 15 days, this petitioner
committed rape on her giving threatening to show the objectionable
photographs to all. Again on 07.07.2015, this petitioner and the co-
accused Krishna Sahani committed rape on her. When the parents of

the informant went to the door of the petitioner to arrange Panchayati, they were abused.

Learned counsel appearing on behalf of the petitioner submits that, in fact, the petitioner has falsely been implicated in this case due to grudge and enmity on refusal by the parents of the petitioner to perform the marriage with the victim. Further submission is that it would appear from the F.I.R. that for the occurrence, said to be taken place on 06.03.2015 and 07.07.2015, the F.I.R. was lodged on 13.08.2015, after about one month of the last occurrence. Further submission is that the victim was medically examined and her age has been assessed to be 15-17 years by the Medical Board. The petitioner is in custody since 16.12.2015.

Having regard to the facts and the circumstances of the case, the petitioner, above named, is directed to be released on bail on his furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the Special Judge, POCSO Act, Begusarai, in connection with Khodabandpur P.S. Case No.163 of 2015 and 6/8 POCSO Act.

(Rajendra Kumar Mishra, J)

P.S./-

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