

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.41623 of 2016**

Arising Out of PS.Case No. -28 Year- 2016 Thana -MAHILA PS District- KHAGARIA

- =====
1. Jhaksu Sahni Son of Late Banarsi Sahni @ Lakhan Sahni
  2. Balram Sahni Son of Jhaksu Sahni
  3. Anita Devi Wife of Jhaksu Sahni All are residents of Village Kamalpur,  
Police Station - Khagaria, District - Khagaria.

.... .... Petitioner/s

Versus

The State of Bihar.

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Viveka Nandsingh, Advocate

For the Opposite Party/s : Mr. Sri Dashrath Mehta, A.P.P.

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**CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI**  
**SHARAN SINGH**  
ORAL ORDER

2      29-09-2016      Heard learned counsel for the petitioners and learned  
Additional Public Prosecutor for the State.

This application for grant of anticipatory bail arises out  
of Khagaria (Mahila) P.S. Case No. 28 of 2016, disclosing  
offences under Sections 363 and 366A of the Indian Penal Code.

Learned counsel for the petitioner appears to be right in  
his submission that statement of the victim girl recorded under  
Section 164 of the Code of Criminal Procedure which has been  
brought on record by way of Annexure-2 to this application  
falsifies the case of the prosecution as narrated in the First  
Information Report.

Considering the submissions as above, this application

is allowed.

Let the petitioners, above-named, in the event of their arrest or surrender before the court below within six weeks, be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Sub Divisional Judicial Magistrate, Khagaria in connection with Khagaria (Mahila) P.S. Case No. 28 of 2016, subject to the conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioners shall present themselves before the police/Court, as the case may be, as and when required and in the event of failure on their part to appear before the Court on two consecutive occasions, their bail bonds shall be liable to be cancelled.

**(Chakradhari Sharan Singh, J)**

Vats/-c

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