

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.3046 of 2016

Arising Out of PS.Case No. -118 Year- 2015 Thana -NAUTAN District- WEST
CHAMPARAN(BETTIAH)

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Jagdish Sahani son of Chhotelal Sahani resident of village - Dakshin
Telhuwan Daroga Singh Ke Tola, Police Station - Nautan, District - West
Champaran.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Brij Kishor Mishra

For the Opposite Party/s : Mr. Ajay Kr. Jha (App)

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**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR
SINGH**
ORAL ORDER

02/ 22-01-2016

Heard learned counsels for the petitioner

and the State.

The petitioner is apprehending his arrest in
a case registered for the offences punishable under Sections 363,
365, 201 of the Indian Penal Code and 4/5 of The Protection of
Children from Sexual Offences Act, 2012.

The prosecution case is that the informant
was admitted at Varanasi when Sharma Sahni entered into the
house of the informant on 01.05.2015 and ravished ten years old
daughter of the informant, Anita Kumari when the informant
returned and wanted to lodge case she was restrained from
lodging the case by co-villagers Madan Sahni, Munna Sahni,

Nitish Sahni and this petitioner Jagdish Sahni. Subsequently the daughter of the informant was admitted in a private Nursing Home on 02.05.2015 and informant was being threatened not to lodge the case.

It is submitted by learned counsel for the petitioner that the thrust of accusation is against Sharma Sahni and there is nothing on the record to suggest that the petitioner obstructed the informant not to lodge the case. Moreover, the accusation against the petitioner and others is omnibus and general. A statement has been made in paragraph 3 of the petition that the petitioner has no criminal antecedent.

It is submitted by learned counsel for the informant that the petitioner is a police personnel and accusation of restraining the informant not to lodge the case is not denied on behalf of the petitioner.

Considering the thrust of accusation against Sharma Sahni and a statement has been made in paragraph 3 of the petition that the petitioner has no criminal antecedent, let the above named petitioner be released on anticipatory bail, in the event of his arrest or surrender before the learned court below within a period of twelve weeks from today, on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the

like amount each to the satisfaction of learned 1st Additional Sessions Judge –cum- Special Judge, Bettiah, District – West Champaran in connection with Nautan P.S. Case No. 118 of 2015, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.



(Dinesh Kumar Singh, J)

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