

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.55083 of 2015

Arising Out of PS.Case No. -119 Year- 2015 Thana -SONBERSA District- SITAMARHI

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Nandu Sahani @ Nand Lal Sahani, son of Rup Narayan Sahani @ Rupa Sahani, R/o Village - Dalkawa, P.S. – Sonbarsa, District - Sitamarhi.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Ashok Kumar Jha, Advocate.

For the Opposite Party : Mr. Anil Prasad Singh (App)

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

4 11-02-2016 Heard learned counsel for the petitioner and the learned A.P.P. for the State.

The petitioner is accused in connection with Sonbarsa P.S. Case No. 119 of 2015, registered under Section 363 and 366(A)/34 of the Indian Penal Code.

The allegation is that on 31.07.2015 in the evening, Arti Kumari, minor daughter of the informant, was called by his neighbour Savitri Devi, wife of Jitan Sahani at her house on the pretext of helping him in cooking on the occasion of gathering of the relatives, but in the evening, when Arti Kumari did not return, then informant went to the house of Savitri Devi, but none was found at her house. The neighbour of Savitri Devi, namely, Uma Kant Prasad and Ramakant Prasad gave information to the



informant to the effect that Savitri Devi, her husband Jitan Sahani, son Sanjay Sahani, Anil Sahani, Sunil Sahani, Nandu Sahani (Petitioner) and Chotan Sahani both brothers of husband of Savitri Devi have carried out Arti Kumari on four wheeler. On the next day, when Jitan Sahani and his wife Savitri Devi were present in the house, then informant made query about Arti Kumari, on which they replied that Arti Kumari had gone to Sitamarhi for worshipping. Latter on, when Uma Kant Prasad and Ramakant Prasad asked whereabouts of daughter of the informant, then they started abusing.

Learned counsel appearing on behalf of the petitioner submits that it would appear from the F.I.R. that daughter of the informant was called by Savitri Devi, wife of Jitan Sahani at her house, in fact, there was love affairs in between Anil Sahani son of Jitan Sahani and Arti Kumari and both of them moved from the house according to their sweet will, but the petitioner has falsely been implicated in this case. Moreover, it is alleged in the F.I.R. that informant came to know about the hand of the petitioner in the occurrence on the information given by Uma Kant Prasad and Ramakand Prasad, but said Uma Kant Prasad and Ramakant Prasad have not disclosed anything against the petitioner in their statement in paras-7 and 8 of the case diary.

The petitioner having no criminal antecedent and he is in custody since 07.08.2015.

Having regard to the facts and the circumstances of the case, the petitioner, above named, is directed to be released on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the A.D.J.-III, Sitamarhi, in connection with Sonbarsa P.S. Case No. 119 of 2015.

(Rajendra Kumar Mishra, J)

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