

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.10476 of 2016

Arising out of PS.Case No. -162 Year- 2015 Thana -DARBHANGA District- DARBHANGA

Deepak Sahni, son of Thakko Sahni, resident of Mohalla-  
Police Station- Town and District- Darbhanga.

.... .... Petitioner

Versus

The State of Bihar

.... .... Opposite Party

Appearance :

For the Petitioner : Mr. Girish Chandra Jha, Advocate.  
For the Opposite Party : Mr. Narendra Kumar Singh (App)

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH  
ORAL ORDER

2 18-04-2016 Heard learned counsel for the petitioner and learned  
counsel for the State.

The petitioner is apprehending his arrest in connection  
with Town P.S. Case No. 162 of 2015 for the offences instituted  
under Sections 365 and 120(B) of the IPC.

The prosecution story, in brief, is that the daughter of the  
informant, namely, Gyatri Kumari, went at the Darbhanga Gudri  
Bazar where the petitioner was selling *Faluda Kulfi* thereafter the  
victim girl disappeared and during search an inquiry was made  
from the petitioner but the petitioner denied the same and gave  
sword blow upon the informant. The informant due to fear  
returned back. Again the villagers inquired from the petitioner  
Deepak Sahni then he told that he sold the victim of Rs. 1,00,000/-

. On giving pressure upon the petitioner, girl was recovered from a house near Kagwa Gumti.

It has been submitted on behalf of the petitioner that the petitioner has got no criminal antecedent. The petitioner has been made accused in the present case due to mistake of fact. Subsequently, the victim has made a petition in the court below where she has stated that the present case has been instituted due to mistake of fact. The said petition filed by the victim is Annexure-2 to the present application.

On behalf of the State it has been submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner above named, be released on bail in the event of his arrest or surrender before the learned court below within a period of six weeks from today in connection with Town P.S. Case No. 162/2015 on furnishing bail bond of Rs. 10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M., Darbhanga, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

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**(Sudhir Singh, J)**