

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.39849 of 2016

Arising Out of PS.Case No. -234 Year- 2015 Thana -BARHARIA District- SIWAN

=====

Deepak Sahani son of Late Birendra Sahani @ Binda Sahani Resident of
Village- Badarjimi, P.S. Mirganj, District- Gopalganj.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

=====

Appearance :

For the Petitioner/s : Mr. Sunil Kumar Pathak, Advocate

For the Opposite Party/s : Mr. Umesh Lal Verma, APP

=====

CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

2 20-09-2016 Heard learned counsel for the petitioner and

learned counsel for the State.

The petitioner seeks bail in connection with
Barharia P. S. Case No. 234 of 2015 registered under Sections
341, 354, 376/511 and 506 of the Indian Penal Code.

It is contended that the petitioner being a young
boy has got no criminal antecedent. He is neighbour of the
informant of the case and has been implicated in the present
case due to minor altercation. It is further contended that even if
the entire allegation is believed to be true, no offence under
Section 376/511 of the Indian Penal Code would be made out,
rather ingredients of an offence punishable under Section 354

would be attracted.

On the other hand, learned counsel for the State has opposed the application for bail. He has submitted that the allegations are quite serious and the petitioner is alleged to have frequently teased the informant, a girl, aged about 16 years only.

Regard being had to the fact that charges have already been framed and the petitioner has already remained in custody for about ten months, he is directed to be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand only) with two sureties of the like amount each to the satisfaction of 1st Additional Sessions Judge, Siwan in Tr. No. 58 of 2016(POSCO), arising out of Barharia P. S. Case No. 234 of 2015.

(Ashwani Kumar Singh, J.)

Kanchan/-

U		T	
---	--	---	--