

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.17886 of 2017

Arising Out of PS.Case No. -87 Year- 2016 Thana -BELCHAR District-
WESTCHAMPARAN(BETTIAH)

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Bishram Sahni, son of Sri Prakash Sahni, resident of Village- Murli, P.S.
Balthar, District- West Champaran.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Bimlesh Kumar Pandey, Advocate.

For the Opposite Party : APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

2 11-04-2017 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is in custody since 02.02.2017 in connection with Balthar P.S. Case No. 87 of 2016 for the offences alleged under Sections 365, 366, 366(A)/34 of the Indian Penal Code.

3. It is submitted that the petitioner has been falsely implicated as in fact the petitioner and the so-called victim are husband and wife. The statement of the girl recorded under Section 164 Cr. P.C. was made under pressure of her father as just one month thereafter her statement under Section 164 Cr. P.C. was again recorded in connection with Balthar P.S. Case No. 05 of 2017 in which she has clearly stated that she was not kidnapped rather she has solemnized marriage with the petitioner. Such marriage was solemnized in the presence of the Marriage Officer, Bettiah and the certificate of marriage dated 31.01.2017 has been issued. The informant's daughter is a major as evident from the medical report.

4. Be that as it may, having regard to the entirety of the facts and circumstances of the case, let the petitioner above



named be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of Sri S.D. Bharti, learned Judicial Magistrate-cum-A.C.J.M. VII, Bettiah, West Champaran, in connection with Balhar P.S. Case No. 87 of 2016, on the following conditions:-

(i) That one of the bailors shall be a close relative of the petitioner.

(ii) That the petitioner shall not indulge in any similar offence till conclusion of the trial.

(iii) That the petitioner shall remain physically present in court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reason, his bail bond shall be liable to be cancelled by the learned Court concerned.

(iv) The petitioner shall cooperate with the investigation, if not already concluded, and make himself available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(Vikash Jain, J)

Md. Ibrarul/psc

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