

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.34423 of 2017

Arising Out of PS.Case No. -47 Year- 2016 Thana -BISHUNPUR District- DARBHANGA

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1. Santosh Sahni, Son of Bisheshwar Sahni, resident of Village-
Mustafapur, Police Station- Bishanpur and District- Darbhanga.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Girish Chandra Jha

For the Opposite Party/s : Mr. Dashrath Mehta

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

3 14-09-2017 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner seeks bail in connection with Bishanpur P.S.
Case No. 47/2016 for offences punishable under Sections 341,
323, 354-A, 363, 366A, 34 of the Indian Penal Code.

The prosecution case, as lodged by the informant, is
that his daughter Ruby Kumari, aged 15 years, while returning
from the marriage ceremony was kidnapped by the petitioner
along with other co-accused. On coming to know, the informant
along with his wife went to the house of co-accused Mauje Sahni
but his wife was beaten and they were turned out of the house.

It has been submitted by the learned counsel for the
petitioner that he is innocent, bears no criminal history and no



overt act has been alleged against the petitioner. He submits that the main allegation is upon Mauje Sahni, who has been granted privilege of bail by the learned court below itself. He further submits that other similarly situated co-accused has been granted privilege of bail by a coordinate Bench of this Court in Cr. Misc. No. 22160 of 2017 on 09.05.2017 and that he is languishing in custody since 31.05.2017. It is submitted that the victim girl has been recovered and in her statement under Section 164 Cr.P.C. she has not alleged any overt act against the petitioner.

However, learned APP for the State opposes the prayer for bail.

Considering the facts and circumstances and the materials on record, let petitioner, above named, be enlarged on bail on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Addl. Chief Judicial Magistrate-VII, Darbhanga, in connection with Bishanpur P.S. Case No. 47/2016, subject to the condition that both the bailors would be close relatives of the petitioner.

(Nilu Agrawal, J)

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