

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51567 of 2016

Arising Out of PS.Case No. -46 Year- 2016 Thana -AADAPUR District-
EASTCHAMPARAN(MOTIHARI)

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1. Chandan Sahni son of Badri Sahni resident of village – Jhitkahiya, P.S. –
Adapur, District - East Champaran.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Umesh Chandra Verma

For the Opposite Party/s : Mr. Sri Braj Kishore Prasad

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**
ORAL ORDER

3 30-01-2017 The learned counsel for the petitioner is permitted to

correct the name of village and police station of the petitioner.

Heard the learned counsel for the petitioner as well as

the learned A.P.P. for the State.

In this application for anticipatory bail the petitioner

apprehends his arrest in connection with Adapur P.S. Case No. 46

of 2016 for the offences punishable under sections 366, 376 (G)

and 34 of the I.P.C.

Allegedly, on 16.03.2016 the informant was

kidnapped by the petitioner and thereafter she was kept in the

house of co-accused Saroj Sahni and thereafter she was brought at

Rajsthan where in a room she was closed where after providing

intoxicant the co-accused Shatrudhan Sahani and Sanosh Sahani

used to commit rape with her. After some day the petitioner also



came there and started pressurizing her to perform court marriage and after protest they used to administer intoxicant and all used to commit rape with her. Any how she fled away from there and came to her in-laws house and then lodged this case.

Submission is of false implication and that there is inordinate delay in lodging the First Information Report, no Sanha was lodged regarding the alleged kidnapping by any one and as such the petitioner deserves sympathetic consideration.

The learned A.P.P. opposes prayer for pre-arrest bail of the petitioner by submitting that prayer for pre-arrest bail of co-accused Shatrudhan @ Shatrudhan Sahani, Santosh Sahni and Saroj Sahani have already been rejected vide Cr. Misc. No. 32908 of 2016 by another co-ordinate Bench of this Court.

In the facts and circumstances as stated above, considering the allegation attributed against the petitioner I am not inclined to grant privilege of pre-arrest bail to the petitioner and accordingly his such prayer stands rejected in connection with the aforementioned case pending in the court of the S.D.J.M. Raxaul at Motihari, East Champaran.

(Jitendra Mohan Sharma, J)

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