

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.21638 of 2017

Arising Out of PS.Case No. -221 Year- 2016 Thana -SULTANGANJ District- BHAGALPUR

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Sachita Nand Sahni @ Sachidanand Sahni, Son of Bibekanand Ram @
Bachchu Ram, Resident of Village-Kasimpur, P.S.- Sultanganj, District-
Bhagalpur.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Kamal Kishore Jha, Advocate

For the Opposite Party/s : Mr. Rana Randhir Singh, APP

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH

ORAL ORDER

2 06-07-2017

Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner seeks pre-arrest bail in connection
with Sultanganj P.S. Case No. 221 of 2016 registered for the
offences punishable under Sections 376, 354, 323 and 341/34 of
the Indian Penal Code.

It is stated by the learned Senior Advocate for the
petitioner that the informant is an adult lady aged about 24 years
and a student of Auxiliary Nursing Mid-wife course and there is
no truth behind the allegation that the petitioner ever sexually
exploited her. Learned Senior Advocate further contended that



even otherwise the ingredients of the offence punishable under Section 376 of the Indian Penal Code would not be attracted in the present case.

On the other hand, learned counsel for the State has opposed the application for grant of pre-arrest bail to the petitioner. He has submitted that on the false pretext of marriage, the petitioner established physical relationship with the informant and after six months refused to marry her.

Considering the nature of allegation, the petitioner is directed to be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-1st, Bhagalpur in connection with Sultanganj P.S. Case No. 221 of 2016 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, in the event of arrest or surrender within a period of six weeks from today.

(Ashwani Kumar Singh, J.)

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