

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.54215 of 2016

Arising Out of PS.Case No. -81 Year- 2011 Thana -SHIWAPATHI District- MUZAFFARPUR

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Nageshwar Sahni, S/o Jama Sahni, Resident of Village- Dihuli Tengrari,
P.S.- Siwaipatti, District- Muzaffarpur

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance:

For the Petitioner : Mr. Pawan Kumar Singh, Advocate
Mr. Pradhan Murli Manohar Pd., Advocate
For the Opposite Party : Mr. Shyameshwar Dayal (APP)

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 30-01-2017 Heard learned counsel for the petitioner and the

State.

The petitioner seeks bail in a case instituted for the
offence under Sections 376, 379/34 of the Indian Penal Code.

It is alleged that on the date of occurrence while the
informant was returning with her husband Pramod Sahni after
treatment and reached near Malang Asthan, this petitioner with
other accused as named in the written report took her in the Lichi
garden. The petitioner along with Mastan committed rape with
her. Ghanshyam caused scratch injury on her breast after
removing her blouse. Nageshwar Sahni snatched her nose pin.

Learned A.P.P. has pointed out that informant in her
further statement in para-9 and another witnesses in para-10, 11



and 12 of the case diary, have supported the allegation against this petitioner of committing rape.

In such circumstances, since there is specific allegation against the petitioner this court is not inclined to grant bail to the petitioner at this stage.

Accordingly, the prayer for bail of the petitioner is hereby rejected in connection with Siwaipatti P.S. Case No. 81 of 2011 (S.Tr. No. 219 of 2012), pending in the court of 14th Additional Sessions Judge, Muzaffarpur.

The petitioner is given liberty to renew his prayer for bail after six months, if no substantive progress is made in the case in the lower court.

The court below is directed to expedite the trial.

(Sanjay Priya, J.)

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