

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.41448 of 2018

Arising Out of PS.Case No. -77 Year- 2018 Thana -LADANIA District- MADHUBANI

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Ram Chandra Sahani @ Ram Chandar Sahani Son of Jatai Sahani Resident
of Village - Harhi, P.S. - Ladaniya, District - Madhubani.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bimal Kumar

For the Opposite Party/s : Mr. Sri Pradeep Narain Kumar

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 13-07-2018 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner seeks bail in connection with Ladaniya P.S.
Case No. 77 of 2018 for offences punishable under Sections 341,
323, 376, 504/34 of the Indian Penal Code and Section 6 POCSO
Act.

The prosecution case, as lodged by the informant, is
that her seven year old daughter was surreptitiously taken away by
co-accused Suraj Sahani who committed rape upon her. Allegation
upon the petitioner is that he was instrumental in making the co-
accused Suraj Sahani flee.

It has been submitted by the learned counsel for the



petitioner that he is innocent and has been falsely implicated in the aforesaid case due to village rivalry and the fraction of the village into two groups. He submits that no case under Section 376 of the I.P.C. is made out against him or under the POCSO Act. The petitioner is languishing in judicial custody since 27.04.2018 and is ready to cooperate in the investigation.

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 1st Additional Sessions Judge-cum-Special Judge, Madhubani in connection with Ladaniya P.S. Case No. 77 of 2018, subject to the conditions that:

- (1) One of the bailors would be a close relative of the petitioner having sufficient immovable property, who will file an affidavit stating his relationship with the petitioner.



(2) The petitioner will cooperate in the investigation and appear before the police station/court as and when required, failing which the learned court below will be at liberty to cancel the bail bonds of the petitioner.

(Nilu Agrawal, J)

Devendra/-

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