

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.896 of 2019

Arising Out of PS. Case No.-223 Year-2017 Thana- VAISHALI District- Vaishali

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SANJEEV SAHNI @ RAJEEV SAHNI Son of S Tufani Sahni Resident of
Village - Afzalpur, P.S.- Vaishali (Belsar O.P.) Distt - Vaishali.

... .. Appellant/s

Versus

The State of Bihar Bihar

... .. Respondent/s

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Appearance :

For the Appellant/s : Mr.Namrata Mishra
For the Respondent/s : Mr.Usha Kumari 1

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL JUDGMENT

Date : 12-04-2019

Heard the parties.

The appellant is apprehending his arrest in connection with Vaishali (Belsar O.P.) Case No.223 of 2017 , registered for offences punishable under Sections 376 and 511 of the Indian Penal Code and Section 3(1)(w)(i)/3(i)(w)(ii) of SC/ST (Prevention of Atrocities) Act.

Allegation against the appellant is that accused Rupesh Pandey along with the others on the point of dagger were taking the informant for committing rape, on which she raised *hulla* and the villagers came and the accused persons fled away.

Submission of the learned counsel for the appellant is that no case is made out under Section 376/511 of the IPC and further there is counter case also lodged by the cousin of the appellant, prior to lodging of the present case and in order to save their skin, the present case has been lodged.



Heard learned Spl.P.P. , who has opposed the prayer for anticipatory bail on the ground that the statement of the girl recorded under Section 164 Cr.P.C. also supports the allegation against the appellant. .

Having heard both sides and in view of the facts and circumstances, as stated above, let the appellant, above named, surrender before the court below within a period of six weeks from the date of order and surrender he will be released on bail on furnishing bail bond of Rs.25,000/- (Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Addl. Sessions Judge-1, Vaishali at Hajipur in connection with Vaishali (Belson O.P.) P.S.Case No.223 of 2017, subject to condition as laid down under Section 438 (2) of the Code of Criminal Procedure.

With the aforesaid observation, this appeal is allowed and the impugned order is set aside.

(Vinod Kumar Sinha, J)

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