

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26570 of 2019

Arising Out of PS. Case No.-133 Year-2018 Thana- DUMARIAGHAT District- East
Champaran

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Oshiyar Sahni, Son of Rameshwar Sahni, Resident of Village - Barharwa
Kala, P.S.- Kotwa, Distt - East Champaran.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar Singh, Advocate

For the Opposite Party/s : Mr. Ashok Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

3 12-06-2019 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner seeks bail in a case registered for the
offences punishable under Sections 363, 366(A), 34 of the
Indian Penal Code.

Though the victim girl has alleged commission of
her kidnapping as well as commission of rape by the petitioner
in her statement under Section 164 of Cr.P.C., however other
connected papers, i.e., the *Aadhar Card* of the victim, would
reveal that her date of birth is 01.01.1998. As such, she was
major on the date of occurrence. Both solemnized marriage,
which would be evident from the photographs of solemnization
of marriage as well as certificate issued by the Prabandhak
Committee, Shree Gauri Shankar Temple, where marriage was



solemnized.

Submission is that she has levelled false allegation against the petitioner.

Considering the material available on record, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned court below where the case is pending in connection with Sessions Trial No.805 of 2018 arising out of Dumariya Ghat Police Station Case No.133 of 2018, subject to condition that both the bailors shall be resident of within the territorial jurisdiction of the learned court below and the petitioner shall fully co-operate with the trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the petitioner.

(Birendra Kumar, J)

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