

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14205 of 2020

Arising Out of PS. Case No.-185 Year-2019 Thana- DEWARIA District- Muzaffarpur

Pappu Sahni, Age – 28 Years, Gender – Male, S/O- Deena Sahni, Resident of
Village - Mohabbatpur, P.S.- Deoriya District- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Alok Kumar Alok, Advocate

For the Opposite Party/s : Mr. Nawal Kishore Prasad, Advocate

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

3 02-06-2020 Heard Mr. Alok Kumar Alok, learned counsel for the

petitioner and Mr. Nawal Kishore Prasad, learned counsel

appearing for the State through video conferencing.

The petitioner seeks regular bail in connection with
Deoriya P.S. Case No. 185 of 2019 registered for the offence
punishable under Section 363, 365 of the Indian Penal Code,
1860.

Allegation against the petitioner as per the First
Information Report is that on 16.12.2019 the son of the
informant namely, Sunil Kumar, aged about 14 years and son of
one Ram Adhar Paswan, namely, Nitish Kumar, aged about 13
years, had gone to coaching. It has further been alleged that they
did not attend the coaching classes. It has been further alleged
by the informant that the petitioner allured the two minors and



abducted them.

Learned counsel for the petitioner submits that petitioner has not committed any offence in the manner alleged. Learned counsel referring to Annexure- 2, which is the statement of the victim boys recorded under Section 164 of the Cr.P.C. submits that the victim boys - Sunil Kumar and Nitish Kumar have stated in similar manner that it was Rishabh, who had taken them in the hut of one Pappu. It has further been stated that Rishabh and Pappu gave them Rs. 1,000 /- and took the victims to Muzaffarpur and they were taken to Muzaffarpur Railway Station and the victim boys were made to sit in a train from where the train reached Gorakhpur Railway Station. It has also been stated that at Gorakhpur Railway Station Pappu was not found and one unknown person had taken them to Dehradun from where the father of the victims were informed by one lady on phone and the victim boys were recovered. Learned counsel submits that from perusal of the statement of the victim boys it would be evident that no overt act has been alleged against the petitioner. Learned counsel submits that petitioner is in custody since 23.12.2019.

Having regard to the submissions made by the parties and taking into consideration the statement of the victim boys



recorded under Section 164 of the Cr.P.C. and the fact that petitioner is in custody since 23.12.2019 as well as the fact that petitioner has got no criminal antecedent, I am inclined to grant regular bail to the petitioner.

Accordingly, let the petitioner, above named, be released on regular bail on furnishing bail bond of Rs. 25,000/- (twenty five thousand) with two sureties of the like amount each to the satisfaction of Sri Mahendra Mishra, learned J.M. 1st Class West Muzaffarpur / concerned court in connection with Deoriya P.S. Case No. 185 of 2019.

It is made clear that at the time of furnishing bail bond all the parties shall follow the guidelines regarding lockdown and social distancing.

(Anil Kumar Sinha, J)

praful/-

U		T	
---	--	---	--

