

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21302 of 2020

Arising Out of PS. Case No.-401 Year-2019 Thana- NAANPUR District- Sitamarhi

SANJAY SAHNI S/o- Harichan Sahni Resident of Village- Banaul, P.S.-
Nanpur, District- Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Virendra Kumar

For the Opposite Party/s : Mr.A.G.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 02-07-2020 Due to COVID-19 Pandemic, the matter is being taken
up by way of virtual Court proceeding.

The matter has been listed under the heading “For Orders”
under the orders of Hon’ble the Chief Justice.

Learned counsel for the petitioner is directed to remove
the defect(s), as pointed out by the office, within a period of
four weeks from the date of lifting of the lockdown in the State
of Bihar.

Heard learned counsel for the petitioner and learned APP
for the State.

The petitioner seeks bail in a case for the offence
registered under Section 366 of the Indian Penal Code.

Prosecution case in short is that in course of returning
from betel shop, the informant’s minor daughter was kidnapped.



It has been submitted on behalf of the petitioner that the petitioner has got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioner. Charge sheet/Prosecution report in this case has already been submitted. The petitioner is in custody since 16-01-2020. The victim has been recovered. In her first statement recorded under Section 164 Cr.P.C., she did not name the petitioner. Her statement under Section 161 Cr.P.C. was recorded by police and in that statement also, the victim did not name the petitioner. Subsequently, after 17 days, her second statement under Section 164 Cr.P.C. was recorded, in which she has named the petitioner. It has been submitted that the second statement under Section 164 Cr.P.C. is a tutored one, which cannot be relied upon.

On behalf of the State, it is submitted that the petitioner is named in the Complaint Case/F.I.R.

Considering the aforesaid facts and circumstances of the case and also the lockdown, let the petitioner, above named, be released on bail on his personal bond to the satisfaction of learned Chief Judicial Magistrate, Sitamarhi in connection with Nanpur P.S. Case No. 401 of 2019.

Once the normalcy is restored, the petitioner shall



furnish bail bonds of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each within a period of seven weeks to the satisfaction of the court concerned in connection with the aforesaid case.

(Sudhir Singh, J)

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