

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34953 of 2020

Arising Out of PS. Case No.-441 Year-2017 Thana- MINAPUR District- Muzaffarpur

GENA SAHNI S/o Late Sohan Sahni R/o Vill.-Konma Chitarpatti, P.S.-
Meenapur, District-Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 21-12-2020 The present petition has been taken up for consideration through the mode of Video conferencing in view of the prevailing situation on account of COVID 19 Pandemic, requiring social distancing.

Heard the learned counsel appearing for the petitioner and Shri Ashok Kumar, learned A.P.P. for the State.

The petitioner seeks regular bail in connection with Meenapur P.S. Case No. 441 of 2017 for the offence punishable under Sections 376 and 511 of the Indian Penal Code and Sections 3/4 of the POCSO Act.

The allegation is regarding the petitioner having attempted to rape the victim girl, however, on alarm being raised, the villagers had arrived there and assaulted the petitioner.



The learned counsel for the petitioner has submitted that the petitioner is innocent, has been falsely implicated in the present case, is having a clean antecedent and he is languishing in custody since 29.11.2019. It is further submitted that the children of the informant used to often graze their goats in the field of the petitioner, on account of which quarrel used to take place and on the alleged date of occurrence the petitioner and his son had scolded the children of the informant and had driven away the goats, whereafter the present case has been lodged by the informant in retaliation.

Per contra, the learned A.P.P. for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioner and taking into account the period of incarceration of the petitioner herein and the nature of allegation levelled against him as also the fact that he is having a clean antecedent, I deem it fit and proper to direct for release of the petitioner on regular bail.

Accordingly, the petitioner, above named, is directed to be released 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 Additional Sessions Judge-1st,
Muzaffarpur in connection with Meenapur P.S. Case No. 441
of 2017.

(Mohit Kumar Shah, J)

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