

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30248 of 2020

Arising Out of PS. Case No.-143 Year-2020 Thana- TAJPUR District- Samastipur

BHUSHAN SAHANI Son of Shankar Sahni Resident of Village- Harpur
Bhindhi, P.S.- Tajpur, District- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pankaj Kumar, Adv.

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

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 23-11-2020 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 for the petitioner and Sri Prem Kumar Jha, the learned APP for the State.

The petitioner seeks regular bail in connection with Tajpur P.S. Case No. 143 of 2020, registered for the offence punishable under Sections 341, 323, 504, 120(B), 376 of the Indian Penal Code and Sections 4, 6, 18 of the POCSO Act.



The allegation is regarding the co-accused person, namely, Sonu Kumar Sahni, having forcibly taken the minor daughter of the informant to a secluded place, whereafter he had raped her, however, upon alarm being raised by the daughter of the informant, the said Sonu Kumar Sahni had fled away. It is further alleged that upon receiving information, the informant and others had gone to bring the victim girl, however, on the way, the accused persons including the petitioner herein had threatened the informant and others.

The learned counsel for the petitioner has submitted that the petitioner is innocent, he has been falsely implicated in the present case, he is having a clean antecedent and he is languishing in custody since 05.05.2020.

Per contra, the learned APP 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 fact that a general and omnibus



allegation has been levelled against the petitioner herein and in fact, the petitioner is not the person, who had committed any illegal act with the daughter of the informant, I deem it fit and proper to direct for release of the petitioner on regular bail.

Accordingly, the above named petitioner is directed to be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge (POCSO) Act, Samastipur in connection with Tajpur P.S. Case No. 143 of 2019.

(Mohit Kumar Shah, J)

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