

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.74501 of 2019**

Arising Out of PS. Case No.-163 Year-2019 Thana- BABUBARHI District- Madhubani

1. MAHENDRA SAHNI S/o Late Jiya Sahni Resident of Village- Navka Tola (Khojpur), P.S.- Babubarhi, District- Madhubani.
2. Nand Lal Sahni S/o Late Soman Sahni Resident of Village- Navka Tola (Khojpur), P.S.- Babubarhi, District- Madhubani.
3. Satya Narayan Sahni S/o Mahendra Shani Resident of Village- Navka Tola (Khojpur), P.S.- Babubarhi, District- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Ramchandra Jha Raman  
For the Opposite Party/s : Mr.Satyendra Prasad

**CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH**  
**ORAL ORDER**

2      13-01-2020      Heard the learned counsel for the petitioners and the learned APP for the State.

The petitioners seek regular bail in connection with Babubarhi P.S. Case No. 163 of 2019, registered for the offence punishable under Sections 341, 323, 376 and 504/34 of the Indian Penal Code.

The allegation of the prosecution is against the co-accused person, namely, Shiv Kumar Sahani, who is stated to have committed rape upon the informant of the present case.

As far as the petitioner no. 1 is concerned, he is stated to be the father of the co-accused person, namely, Shiv Kumar



Sahani and the petitioner nos. 2 and 3 are stated to be his brothers and these petitioners are stated to have assaulted the father and mother of the informant when they had gone to their house to complain about the alleged incident.

The learned counsel for the petitioners has submitted that the petitioners have been falsely implicated in the present case, they are having a clean antecedent and they are languishing in custody since 22.9.2019. It is further submitted that the FIR has been lodged after a delay of twenty days and as far as the petitioners are concerned, they are not having any complicity in the matter and the allegation is against the co-accused person, namely, Shiv Kumar Sahani of having committed rape with the informant-victim girl.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioners, coupled with the fact that the petitioners have not been alleged to have committed rape with the informant as also they are stated to be having a clean antecedent, I deem it fit and proper to direct for release of the petitioners on regular bail.

Accordingly, the above named petitioners are directed to be enlarged on bail on furnishing bail bonds of Rs. 10,000/-



(rupees ten thousand) each with two sureties of the like amount  
each to the satisfaction of learned A.C.J.M. 3<sup>rd</sup> Madhubani in  
connection with Babubarhi P.S. Case No. 163 of 2019.

**(Mohit Kumar Shah, J)**

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