

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.18011 of 2021**

Arising Out of PS. Case No.-247 Year-2020 Thana- SARAI District- Vaishali

Ratan Sahni S/O Kailash Sahni Resident Of Paura Madan Singh, P.S-Sarai,
District-Vaishali.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

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

For the Opposite Party/s : Mr. Shailendra Kumar Singh, APP

**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER**

2 14-07-2021 Learned counsel for the petitioner undertakes to remove all the defects as pointed out by office within four weeks after start of normal functioning of the Court.

Heard learned counsel for the petitioner and learned
A.P.P. for the State.

Petitioner in the present case is seeking regular bail in connection with Sarai P.S. Case No. 247/2020 registered for the offences punishable under Section 366, 366(A), 34 of the Indian Penal Code and Section 4/8 of the POCSO Act.

As per the prosecution story, the informant is the father of the victim namely Kajal Kumari, aged about 15 years who had gone to Allahabad Bank situated at Arhara to withdraw money but she did not return till evening, thereafter the informant searched her whereabouts but could not trace her. It is



further alleged that co-accused Suraj Sahni used to tease the daughter of the informant when she used to go to the school. On the next day when the informant had gone to meet Ratan Sahni (the petitioner), who is the father of the co-accused, then he disclosed that the co-accused Suraj Sahni and the daughter of the informant is present at the house of his Sadhu Gariban Sahni and Naval Sahni. The daughter of the informant and the son of this petitioner have solemnized marriage.

Learned counsel for the petitioner submits that petitioner has been falsely implicated in this case, this petitioner is said to be the father of the co-accused with whom the daughter of the informant has solemnized marriage. Learned counsel submits that the daughter of the informant has claimed her age around 19 years and nothing has come against the petitioner, however petitioner is in custody in connection with this case since 24.12.2020 having no criminal antecedent.

Learned A.P.P. for the State has opposed the prayer for regular bail of the petitioner.

Having regard to the facts and circumstances of the case wherein this petitioner is said to be the father of the co-accused with whom the daughter of the informant has solemnized marriage, she has claimed her age around 19 years



and nothing has come against the petitioner, he has been falsely implicated in this case, the co-accused has been granted privilege of bail by the learned coordinate Bench of this Court in Cr. Misc. No. 7278/2021, the petitioner is in custody in connection with this case since 24.12.2020, investigation against him is complete but the trial is not likely to take place in near future, this Court directs release of the petitioner above-named on bail on furnishing of bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand only) with two sureties of the like amount each to the satisfaction of learned Additional District & Sessions Judge – VI, Vaishali at Hajipur, in connection with Sarai P.S. Case No. 247/2020, subject to the condition as laid down under Section 437 (3) Cr.P.C. as under :

(a) that such person shall attend in accordance with the conditions of the bond executed under this Chapter,

(b) that such person shall not commit an offence similar to the offence of which he is accused, or suspected, of the commission of which he is suspected, and

(c) that such person shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer or



tamper with the evidence.

And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajeev Ranjan Prasad, J)

Rajeev/-

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

Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

