

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20189 of 2021

Arising Out of PS. Case No.-411 Year-2019 Thana- NAANPUR District- Sitamarhi

SHIVNATH SAHNI S/o Bishun Sahni Resident of Village- Mahisautha, P.S.-
Nanpur, District- Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Uday Kumar
For the Opposite Party/s : Mr. Uday Pratap Singh, APP
Mr. Raj Narayan Mishra

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 06-09-2021 Heard learned counsel for the petitioner, the State and
the informant.

Petitioner seeks regular bail in a case registered for
the offence punishable under Section 363, 366A of the Indian
Penal Code.

As per the prosecution case, this petitioner along with
another accused person kidnapped the minor daughter of the
informant.

Learned counsel appearing for the petitioner submits
that petitioner is innocent and has falsely been implicated in the
case. It is further submitted that the victim in her statement
under Section 164 of the Cr. P. C. stated that no-one
kidnapped her rather she left her house out of her own free will
and solemnized marriage with this petitioner and stated her age
18 years. Petitioner claims clean antecedent and is in



custody since 01.12.2020 and investigation in this case is complete.

Learned counsel appearing for the State and the informant oppose the prayer for bail.

Considering the facts of the case, the period of custody of the petitioner and the statement of victim recorded u/s 164 of the Cr. P. C., let the petitioner, above named, 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 Sub divisional Judicial Magistrate, Pupri at Sitamarhi in connection with Nanpur PS case No. 411/2019 on the following conditions:-

(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his/ her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

(2) If the petitioner tampers with the evidence or the witnesses, in that case the prosecution will be at liberty to move for cancellation of bail.

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(Prabhat Kumar Singh, J)

