

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35730 of 2020**

Arising Out of PS. Case No.-139 Year-2018 Thana- KAMTAUL District- Darbhanga

BIPIN SAHNI Son of Bilas Sahani Resident of Village - Brahampur West
Pound Tola, P.S.- Kamtaul, District - Darbhanga

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Baidya Nath Prasad

For the Opposite Party/s : Mr.Ram Chandra Singh, APP

**CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN
SINGH**

ORAL ORDER

2 19-01-2021

Heard learned counsel for the parties.

This application for regular bail arises out of Darbhanga Kamtaul P.S. Case No. 139 of 2018, disclosing offences punishable under Sections 363,366A,376/34 of the Indian Penal Code and Sections 3/4 of the POCSO Act.

For an occurrence alleged to have taken place on 25.04.2018, the FIR was registered on 29.05.2018. Allegedly, the informant's minor daughter was enticed away by co-accused Arjun Sahni, this petitioner and other family members of the petitioner on the pretext of her marriage with co-accused Arjun Sahni. The victim returned on 29.05.2018 and she is said to have informed



the informant that co-accused Arjun Sahni had established physical relationship with her. The petitioner and other family members of co-accused Arjun Sahni have been implicated on the allegation of abatement of commission of offence.

Learned counsel appearing on behalf of the petitioner has submitted that the petitioner had earlier approached this Court for grant of anticipatory bail, which was rejected and thereafter he surrendered before the Court below on 07.07.2020 and since then he is in jail custody. He has also submitted that as a matter of fact, the victim had developed some relationship with co-accused Arjun Sahni. The fact that even missing report was not given to the police by the informant after the victim had left her house shows that the informant was aware of the alleged victim's association with co-accused Arjun Sahni.

Considering the fact that the main allegation if any, is against Arjun Sahni, in the facts and circumstances of the case, in my opinion, the petitioner deserves to be released on regular bail. This application is allowed.

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 the learned Special Judge (POCSO) Act, Darbhanga in Darbhanga Kamtaul P.S. Case No. 139 of 2018.

(Chakradhari Sharan Singh, J)

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