

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38091 of 2020

Arising Out of PS. Case No.-170 Year-2018 Thana- NAUTAN District- West Champaran

1. VINOD SAHANI, S/o Prabhu Sahani, R/o village- Mangharia, P.S.- Malahi, District- East Champaran
2. Pramod Sahani, S/o Prbhu Shani R/o village- Mangharia, P.S.- Malahi, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arun Kumar Sinha, Advocate

For the Opposite Party/s : Mr. Akshy Lal Pandit, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 05-02-2021 Heard Mr. Arun Kumar Sinha, learned Counsel for the petitioners and Mr. Akshy Lal Pandit, learned Additional Public Prosecutor for the State.

This application, for grant of regular bail, arises out of Nautan (Jagdishpur) Police Station Case No. 170 of 2018, disclosing offences under Sections 448, 363, 366(A), 380/120B of the Indian Penal Code and Section 8 of POCSO Act.

The allegation, as per the First Information Report is that the petitioners along with other accused persons entered into the house of the informant and kidnapped the minor daughter of the informant for the purpose of marriage.

Learned counsel for the petitioners submits that the



petitioners have not committed any offence in the manner alleged and they have falsely been implicated in this case due to oblique motive inasmuch as there was love affair between the victim girl and co-accused, Sonu Sahni @ Sonu Kumar and statement of the victim girl was recorded under Section 164 Cr.P.C. in which she has not stated anything against the petitioners and she has specifically stated that she wanted to marry with co-accused, Sonu Kumar. Learned counsel next submits that after investigation, police has submitted final form not sending the petitioners for trial. Learned counsel further submits that co-accused, Sonu Sahni @ Sonu Kumar, has been granted bail by this Court vide order dated 11.10.2018 passed in Cr. Misc. No.51889 of 2018. Learned counsel for the petitioners further submits that the petitioners are in custody since 02.09.2020.

Having regard to the submissions made by the parties and taking into consideration the materials on record and the statement of the victim girl recorded under Section 164 Cr.P.C. at Annexure-2 of this application and the fact that the petitioners are in custody since 02.09.2020, I am inclined to grant regular bail to the petitioners.

Accordingly, let the petitioner No.1, Vinod Sahni and petitioner No.2, Pramod Sahani, be released on bail on



furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-VI-cum-Special Judge (POCSO), Bettiah, West Champaran, in connection with Nautan (Jagdishpur) Police Station Case No. 170 of 2018.

(Anil Kumar Sinha, J.)

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