

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1691 of 2021

Arising Out of PS. Case No.-609 Year-2020 Thana- HAJIPUR District- Vaishali

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ANKIT SAHANI SON OF LATE JITENDAR SAHANI Resident Of Village
- Andar Kila Nakhash Chawk, Hajipur, P. S. - Town, District - Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Manoj Kumar

For the Opposite Party/s : Mr.A.G.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 03-03-2021 Heard both parties.

The petitioner seeks bail in Hajipur Town P.S. Case No. 609 of 2020, registered for the offence punishable under Sections 448, 341, 323, 307, 504, 506 and 34 of the Indian Penal Code, section 8/12 of the POCSO Act and section 3(i)(r) (s) of the SC/ST Act.

As per the prosecution case, this petitioner is alleged to have entered into the house of informant and tried to forcibly take away the minor daughter of informant. When informant's husband opposed, petitioner also assaulted him, as a result of which he sustained head injury. It is further alleged that after sometime petitioner along with others having sword in his hand came there and threatened the informant of dire consequence, if her daughter will not marry him.



It is submitted on behalf of the petitioner that from the FIR it would be apparent that occurrence is alleged to have taken place on 15.04.2020, but the FIR was lodged on 15.09.2020 after delay of five months, for which no plausible explanation has been given. It is further submitted that there is no allegation of sexual assault against this petitioner and the only allegation against him that he tried to take away the daughter of informant forcibly. Moreover, there is no injury report on the record. Petitioner is in custody since 16.09.2020 and bears clean antecedent. Chargesheet has already been submitted.

Considering the facts and circumstances of the case, the petitioner above-named, is directed to be enlarged 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 Exclusive Special Court POCSO-cum-Additional District and Sessions Judge VI, Vaishali at Hajipur in connection with Hajipur Town P.S. Case No. 609 of 2020, subject to following conditions:-

(i) The 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 in the event of failure on two consecutive dates without sufficient reasons, his bail bond shall be liable to be cancelled by the court below.

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

(Prabhat Kumar Singh, J)

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