

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40910 of 2020

Arising Out of PS. Case No.-279 Year-2020 Thana- NAUTAN District- West Champaran

Suresh Sahni @ Suresh Sahani Son of Ramayan Sahni Resident of Rekha
Sunderpati, P.S.- Nautan, District- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bimlesh Kumar Pandey, Adv.

For the Opposite Party/s : Dr. Ajit Kumar, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 10-02-2021 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has filed the instant application for grant of regular bail in connection with Nautan P.S. Case no. 279 of 2020 registered under sections 366A and 34 of the Indian Penal Code and section 8 of the POCSO Act.

As per allegation in the FIR, the accused persons including the petitioner herein are stated to have kidnapped the minor daughter of the informant with intention to marry her to Sudama Sahni.

It is submitted by learned counsel for the petitioner that the petitioner has been falsely implicated in the case only for the reason that he happens to be the full brother of the aforesaid Sudama Sahni. Referring to Annexure-3 to the



petition, it is submitted that the age of daughter of the informant has been assessed to be 18-20 years and thus she is a major. Further referring to Annexure-2 to the petition which is order dated 29.9.2020 passed in Nautan P.S. Case no. 279 of 2020 by the learned Additional District Judge, VI-cum-Special Judge POCSO, Bettiah, West Champaran, it is submitted that the victim was not ready to go with her parents instead wanted to go to her in-laws place and, as such, she has been sent to the Baal Kalyaan Samiti, Bettiah. The petitioner has no criminal antecedent and he is in custody since 9.8.2020.

The application for bail is opposed by learned APP for the State.

Having heard learned counsel for the parties and taking into consideration the submissions made on behalf of the petitioner especially the doctor's report estimating the victim to be a major and the order of the learned Court below passed on 29.9.2020 together with the chargesheet having been submitted in the case, the Court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail in connection with Nautan P.S. Case no. 279 of 2020 on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of the



learned Additional District and Session Judge VI-cum-Special
Judge, Bettiah, West Champaran.

(Partha Sarthy, J)

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