

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8239 of 2021

Arising Out of PS. Case No.-124 Year-2020 Thana- MAHINDWARA District- Sitamarhi

RAJ KUMAR SAHNI SON OF GANGA SAHNI R/O VILLAGE-
MAHINDWARA, WARD NO.8, P.S.- MAHINDWARA, DISTRICT-
SITAMARHI.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pushpendra Kumar Singh

For the Opposite Party/s : Mr.Pramod Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 27-05-2021 This matter is taken up for consideration through
Video Conferencing under the orders of Hon'ble the Chief
Justice.

Heard both parties.

The petitioner seeks bail in Mahindwara P.S. Case No.
124 of 2020, registered for the offence punishable under
Sections 376, 511 of the Indian Penal Code.

As per the prosecution case, while the minor daughter
of informant had gone to cut the grass for goat, this petitioner is
alleged to have taken her to the forest and tried to commit rape
with her.

It is submitted on behalf of the petitioner that
petitioner has falsely been implicated in this case with malafide



intention. Entire allegation is false and concocted. There is delay in lodging of FIR. Petitioner is innocent and committed no offence and is residing at his maternal house, as his mother had no brothers, therefore, father of the petitioner settled there, but the villagers do not like them and wanted to oust them from the village and used to pressurize them to sell the land on lowest price. Petitioner is in custody since 03.10.2020 and bears clean antecedent, as stated in para 3 of the petition. Chargesheet has already been submitted.

However, learned APP vehemently opposed the prayer for bail.

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 Additional District and Sessions Judge VI-cum-Special Judge, POCSO Act, Sitamarhi in connection with Mahindwara P.S. Case No. 124 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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