

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8826 of 2022

Arising Out of PS. Case No.-131 Year-2021 Thana- SAHIYARA District- Sitamarhi

Shambhu Sahni Son of Shivji Sahni R/O Village- Hanuman Nagar, P.S.-
Sahiyara, District- Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Virendra Kumar, Advocate
For the Opposite Party/s : Mr.Bishweshwar Ram, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

4 19-11-2022 Heard learned counsel appearing on behalf of the
petitioner and learned counsel appearing on behalf of the State.

Let the defect(s), if any, be removed within a period
of four weeks from today.

The petitioner seeks bail in connection with Sahiyara
P.S. Case No. 131 of 2021 registered for the offence under
Sections 363 and 366 A of the Indian Penal Code.

The accused/petitioner is named in the F.I.R. and is in
custody since 28.10.2021.

The allegation against the petitioner is to kidnap the
minor daughter of the informant, along with other co-
accused/family members, for the purpose of illicit intercourse.

Learned counsel appearing on behalf of the petitioner



submitted that petitioner has falsely been implicated in the present case, merely, on the basis of suspicion as arises out of alleged love affairs with the daughter of the informant. It is submitted that allegation of kidnapping and sexual assault completely negated by victim through her statement as recorded under Section 164 of the Cr.P.C. While concluding the argument, it is submitted that petitioner is a man of clean antecedent and, moreover, investigation of this case is complete, for which, charge-sheet has been submitted, as such, there is no chance of tampering with the evidence.

Learned APP appearing on behalf of the State opposes the prayer of bail.

Considering the facts and circumstances as mentioned above, as victim denied the allegation of rape/sexual assault and kidnapping against this petitioner, rather stated to solemnize her marriage with this petitioner through her statement as recorded under Section 164 of the Cr.P.C. coupled with the fact that charge-sheet has already been submitted, let the petitioner, above named, is directed to be released on bail in connection with Sahiyara P.S. Case No. 131 of 2021 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional



District and Sessions Judge-VI, Sitamarhi/concerned court,
subject to the conditions as laid down u/s 437(3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

R.S.Sen/-

U		T	
---	--	---	--

