

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22352 of 2021

Arising Out of PS. Case No.-231 Year-2018 Thana- AMARPUR District- Banka

ABADH KISHOR SAHANI @ AWADH KISHOR SAHANI Son of
Ramdawan Sahani Resident of Village- Lakhawara, P.S.- Lakhaura, District-
Motihari, East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anuj Kumar, Adv

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

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

6 18-01-2022 Heard learned counsel for the petitioner and the
learned A.P.P. for the State in virtual Court proceeding.

The petitioner seeks bail in connection with Sessions
Trial No. 421 of 2018 arising out of Amarpur P.S. Case No. 231
of 2018 registered for the offence under Sections 366A and 376
of Indian Penal Code and Section 4 of the POCSO Act.

The prosecution case, in short, is that in the written
report the daughter of the informant had gone for call of nature
and she did not return. The informant has raised suspicion that
somebody has kidnapped her for performing marriage.

Earlier the prayer for bail to the petitioner was
rejected vide order dated 20.08.2019 in Cr. Misc. No.39269 of
2019.



The victim girl has been examined and the statement of the victim recorded under Section 164 Cr.P.C. The victim girl, in her statement recorded under Section 164 Cr.P.C., has categorically stated that she has been kidnapped and forcibly married and thereafter she was taken to Assam by the petitioner where he was committed rape with her.

Considering the aforesaid fact, I am not inclined to enlarge the petitioner on bail in connection with Sessions Trial No. 421 of 2018 arising out of Amarpur P.S. Case No. 231 of 2018 pending in the court of learned Addl. Sessions Judge-I, Banka.

Prayer is rejected.

(Rajesh Kumar Verma, J)

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