

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.16577 of 2022**

Arising Out of PS. Case No.-235 Year-2021 Thana- LAURIA District- West Champaran

Sandeep Sahani @ Sandip Sahani, Son of Sri Rabindra Sahani Resident of Village-Baswariya Deoraj, P.S.-Lauriya, District-West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Umesh Chandra Verma, Adv.

For the Opposite Party/s : Mr.Mithlesh Kumar Khare, APP

**CORAM: HONOURABLE MR. JUSTICE RAJIV ROY**

ORAL ORDER

3      25-07-2022

Heard learned counsel for the parties.

Let the defect(s) be removed within four weeks of the complete start of the physical Court in normal course.

The petitioner is in judicial custody in connection with Lauriya P.S. Case No.235/2021 instituted under Sections 363, 366A/34 of the IPC and 8 of the POCSO Act.

The allegation in the FIR is that the informant upon ‘hulla’ went out of her home and saw that petitioner herein is running with his minor daughter, Sabiha Khatoon. She went to the home of the accused person where his family members assured her that the girl will be returned. However, when the informant again went to their house, she was threatened by petitioner’s family and ultimately had to lodge this FIR.

Subsequently, the girl was recovered and she made statement under Section 164 Cr.P.C. stating that she has left the



place on her own and the petitioner herein had no role to play in the matter.

Taking into account the aforesaid fact that the girl in her 164 Cr.P.C. statement has denied the charges against the petitioner and he is in custody since 22.10.2021 (as stated in para-11 of the bail application) as also that the charge sheet stands submitted, this Court is inclined to grant him privilege of bail.

Let the petitioner be released on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each in connection with Lauriya P.S. Case No.235/2021 to the satisfaction of learned 7<sup>th</sup> Additional Sessions Judge-cum-Special Judge, POCSO Act, West Champaran at Bettiah, subject to following conditions:

(i) one of the bailor should be the family member of the petitioner, who shall provide official document to show his/her bona fide;

(ii) the petitioner shall appear on each and every date before the Trial court and failure to do so for two consecutive dates without plausible reasons will entail cancellation of his bail by the Trial court itself;

(iii) the petitioner shall appear before the concerned



police station every month for next six months to mark his presence;

(iv) the petitioner shall desist from committing any criminal offence again failing which the State shall be at liberty to steps for cancellation of his bail bonds.

With the aforesaid observations, the bail application is allowed.

**(Rajiv Roy, J)**

Prakash Narayan /-

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