

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26574 of 2021

Arising Out of PS. Case No.-86 Year-2020 Thana- MAHILA PS District- Darbhanga

SUNIL SAHANI Son of Dahur Sahni @ Dahu Sahni Resident of Village-
Kansi, P.S.- Simri, District- Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pankaj Kumar Das, Advocate

For the Opposite Party/s : Mr. Uday Pratap Singh, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 03-01-2022 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has preferred this application for grant of regular bail in a case registered under sections 354B and 448 of the Indian Penal Code and sections 8 and 12 of the POCSO Act.

As per the prosecution case, while the informant had gone out to work, the petitioner entered her house and made an attempt to commit rape on her minor daughter. On hulla being raised, he escaped.

It is submitted by learned counsel for the petitioner that the petitioner has been falsely implicated in the case over a dispute between the parties relating to transaction of Rs. 5,000/-. There is no medical report available in the investigation to



support the case of the prosecution. The petitioner is in custody since 26.12.2020 and has no criminal antecedent. Chargesheet has been submitted in the case.

The application for bail is opposed by learned A.P.P. for the State who submits that the petitioner is named in the FIR and there is direct allegation against him which is supported by the contents of the statement under section 164 Cr.P.C. by the minor victim.

Having heard learned counsel for the parties and taking into consideration the allegation against the petitioner in the FIR together with the contents of the statement of the minor victim under section 164 Cr.P.C., the Court is not inclined to enlarge the petitioner on bail and the application is rejected.

In the facts of the case, liberty is granted to the petitioner to renew his prayer for bail after six months.

(Partha Sarthy, J)

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