

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31727 of 2021

Arising Out of PS. Case No.-151 Year-2018 Thana- PIPRAKOTHI District- East Champaran

1. ASHESAR SAHANI @ ASESAR SAHANI SON OF LATE GENA SAHANI Resident of Village - Majhariya, P.S.- Pipra Kothi, Distt.- East Champaran.
2. SUBODH SAHANI SON OF LATE JAWAHIR SAHANI @ JAWAHAR SAHANI Resident of Village - Majhariya, P.S.- Pipra Kothi, Distt.- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Madhurendra Kumar, Advocate
For the Opposite Party/s : Mr. Satyendra Narayan Singh, APP

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 19-01-2022 Heard Mr. Madhurendra Kumar, learned
Advocate for the petitioners and Mr. Satyendra Narayan
Singh, learned APP for the State.

Mr. Kumar seeks permission to withdraw the application with respect to petitioner no. 1 (Ashesar Sahani @ Asesar Sahani), who has been arrested during the pendency of the petition.

The application with respect to petitioner no. 1 is dismissed as having become infructuous.

The petitioner no. 2 (Subodh Sahani) seeks bail in anticipation of his arrest in connection with Pipara Kothi P.S. Case No. 151 of 2018 dated 26.07.2018 instituted for the offences under Sections 341, 323,



504, 506 and 34 of the Indian Penal Code and Sections 12 and 18 of the POCSO Act.

The victim is said to have been misbehaved with by one Sona Lal @ Sona Lal Kumar, when she had gone to collect her goat.

Learned counsel for the petitioner no. 2 has submitted that after about 2½ years of the occurrence, the victim has endorsed the statement made in the FIR. However, so far as the petitioner no. 2 is concerned, he is said to have made attempts at assaulting the victim and her family members at the time of Panchayati to settle the dispute between the parties.

Regard being had to the nature of accusation against petitioner no. 2 and the fact that this Court has granted anticipatory bail to Sona Lal @ Sona Lal Kumar today in Cr. Misc. No. 31610 of 2021, the petitioner no. 2 (Subodh Sahani) also is directed to be released on bail, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, on his furnishing bail bonds in the sum of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned 1st Additional Sessions Judge cum Special Judge, POCSO Act, East Champaran at Motihari in connection with Pipara Kothi P.S. Case No.



151 of 2018, subject to the conditions as laid down
under Section 438(2) Cr.P.C.

The petition stands disposed off accordingly.

(Ashutosh Kumar, J)

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