

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40367 of 2021

Arising Out of PS. Case No.-147 Year-2019 Thana- KUDHNI District- Muzaffarpur

PANKAJ KUMAR SAHANI S/o Kuldeep Sahni R/o- Village - Kishunpur
Madhuvan, P.S. - Kurhani, District - Muzaffarpur.

... .. Petitioner

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Alok Kumar Alok, Advocate
For the Opposite Party/s : Mrs. Shaheen Begum, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 04-04-2022 Heard learned counsel for the petitioner and learned APP
for the State.

Learned counsel for the petitioner is directed to remove
the defects, as pointed out by the Office, within a period of four
weeks.

The petitioner is apprehending his arrest in a case
registered under Sections 341, 448, 323, 342, 427, 354(B), 376,
511/34 of the Indian Penal Code and 3 and 6 of POCSO Act.

The prosecution allegation, in short, is that the accused
persons including the petitioner came and the petitioner tried to
outrage the modesty of the victim and co-accused Kaushal tried to
commit rape upon her.

It has been submitted on behalf of the petitioner that the
petitioner has got no criminal antecedent. There is no allegation of
tampering of witnesses alleged against the petitioner. The petitioner



has falsely been implicated in the present case. The statement of the victim has been recorded in the case of co-accused whose trial is going on. The victim has been declared hostile by the Trial Court as she has retracted from her earlier statement. The deposition of victim is Annexure-2 to the present application.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner, above named, in the event of arrest/surrender before the learned court below within a period of twelve weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, POCSO Act, Muzaffarpur in connection with Tr. No. 02/2020 arising out of Kudhani P.S. Case No. 147/19, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

Pankaj/-

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