

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51834 of 2021

Arising Out of PS. Case No.-303 Year-2020 Thana- UJIYARPUR District- Samastipur

MUNNA SAHNI S/O SHIVNATH SAHNI R/o village- Jitwarpur, Bhuskara,
P.S.- Tajpur (Halai), District- Samastipur

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Krishna Kant Singh, Adv

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

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 05-01-2022 Let the defects, as pointed out by the office, be removed within four weeks of starting of Court proceeding in physical mode in normal course.

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 Ujiyarpur P.S.Case No.303 of 2020 registered for the offence under Sections 147, 149, 395/326A/326B, 328, 307, 323, 494, 498A, 504, 506 of the Indian Penal Code and Sections 8,10,12,14,16/18 of the POCSO Act.

Prosecution case in short is that the complainant/informant having known that her husband Munna Sahni has married another lady, went to her Sasural with her minor daughter and other family members. It is further alleged that on reaching her Sasural, the complainant/informant was



surrounded and threatened of dire consequences by accused persons. It is also alleged that the accused persons started committing obscenity with her, her clothes were torn. Further it is alleged that the accused started pouring poison into complainant's/informant's mouth.

Learned counsel appearing for the petitioner submits that the petitioner has clean antecedent. He further submits that the petitioner has falsely been implicated in the present case. He further submits that after investigation, police has submitted chargesheet under Sections 341,323,498A,494 and 34 IPC and under Section 3/4 of Dowry Prohibition Act. He further submits that accordingly vide order dated 01.02.2021 cognizance has been taken under Sections 341,323,379,498A,494 IPC and Section 3/4 of D.P.Act. He further submits that it appears from the FIR itself that the date of occurrence as mentioned in the FIR is 12.07.2020 and the present FIR has been lodged on 04.10.2020. Petitioner is in custody since 30.11.2020.

Learned A.P.P. for the State has opposed the prayer for bail of the petitioner.

Considering the facts and circumstances of the case, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.10,000/- (Ten Thousand) with two sureties of



the like amount each to the satisfaction of learned S.D.J.M.,
Dalsingsarai, Samastipur in connection with Ujiyarpur P.S. Case
No.303 of 2020 with the following conditions:-

(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

(2) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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