

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54995 of 2021

Arising Out of PS. Case No.-197 Year-2021 Thana- SONEPUR District- Saran

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DASHAEE SAHANI @ DASHAEE KUMAR SAHANI Son of Dina Sahani
Resident of Village - Rahimpur Ghegha, P.S.- Sonepur, District - Saran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Prabhakar Singh, Advocate

For the Opposite Party/s : Mr. Dilip Kumar No.1, APP

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 14-11-2022 Heard learned counsel for the petitioner and

learned A.P.P. 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. In the eventuality of non-removal of defects within undertaken period, the office will place the matter before the Bench.

Today, a counter affidavit has been filed by learned APP for the State.

Let it be kept on record.

The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 341, 452, 323, 354B, 506 & 312 of the Indian Penal Code.

The petitioner in association of other is said to have



entered into the house of the informant and started doing obscene activities and also assaulted her. The petitioner assaulted with leg and fat on her lower abdomen causing termination of two months' pregnancy.

It is submitted by learned counsel for the petitioner that no such occurrence as alleged ever took place. He has been falsely implicated in this case. As a matter of fact, the informant is a lady of questionable character and on the date and time of alleged occurrence some unknown persons had entered into her house. The petitioner informed to her father-in-law and due to said annoyance the informant has filed this case implicating the petitioner and other with false and concocted allegations. There is inordinate and abnormal delay of 18 days in lodging the F.I.R. without assigning any plausible and convincing reason for the said delay, which creates serious doubt about the prosecution case. Petitioner has no criminal antecedent as mentioned in para-3 of this application.

Learned APP for the State vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below



within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor Court in connection with Sonapur P.S. Case No. 197 of 2021, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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