

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64200 of 2021**

Arising Out of PS. Case No.-96 Year-2021 Thana- HAYAGHAT District- Darbhanga

SARWAN SAHNI Son of Kusheshwar Sahni @ Kuseshwar Sahni Resident of
Village - Ballipur, P.S.- Waris Nagar, District - Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vinay Kumar Mishra, Advocate

For the Opposite Party/s : Mr.Choubey Jawahar, APP

**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER**

3 11-04-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks bail in a case registered for the
offences punishable under Sections 363, 365 and 366(A) of the
Indian Penal Code.

Learned counsel for the petitioner submits that the
petitioner is in custody since 30.07.2021, is a person with clean
antecedent and charge-sheet has been submitted in the case.

Learned counsel for the petitioner submits that the
informant alleges that her daughter aged about 16-17 years was
married to Om Prakash who worked as painter in Jaipur, further
her daughter came back home and the petitioner who was
working as painter in the house of a neighbour, Radha Singh,
came in contact with the informant and started visiting her



place. It is further alleged that on 25.06.2021, when the informant came home she saw her daughter missing thus alleges that the petitioner enticed and took her daughter away. It is also alleged that the informant saw that several calls on her mobile had come from the mobile number of the petitioner.

Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in the present case, he is a person suffering with physical disability of 46%. Learned counsel further submits that though the victim has supported the prosecution case but the fact that the date of occurrence is 25.06.2021 and the F.I.R. came to be instituted on 20.07.2021 i.e. after a delay of nearly 25 days that in itself shows that there was an inordinate delay in instituting the F.I.R. for reasons best known to the informant.

Learned A.P.P. for the State vehemently opposes the prayer for bail of the petitioner.

Considering the fact that the petitioner is in custody, is a person with clean antecedent, charge-sheet has been submitted in the case and there was an inordinate delay in instituting the F.I.R., let the petitioner above named be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten 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 Hayaghat P.S. Case No. 96 of 2021.

(Satyavrat Verma, J)

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