

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2467 of 2023

Arising Out of PS. Case No.-92 Year-2022 Thana- PUNAURA District- Sitamarhi

ASHOK SAHNI Son of Shankar Sahni R/V- Talkhapur, Dumra Naya Tola,
Ward NO.-15, P.S.- Punaura, District- Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashhar Mustafa

For the Opposite Party/s : Mr.Md. Iftekhar Mahmood

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

2 06-04-2023 Heard the learned counsel for the petitioner as well as
the learned Additional Public Prosecutor for the State.

The learned counsel for the petitioner has submitted that
in paragraph 12 of the bail petition, it has mistakenly been
mentioned that the alleged victim is residing with the brother of
the petitioner, but as a matter of fact, she is in observation home.

Let it be corrected in course of the day.

The petitioner is seeking regular bail in connection with
Punaura P.S. Case No. 92 of 2022 registered for offence
punishable under sections 363, 366(A) read with section 34 of the
Indian Penal Code.

The learned counsel for the petitioner has submitted that
as a matter of fact there was love and affection between the
daughter of the informant and brother of the petitioner, namely,
Mantosh Kumar and his entire family members have falsely been



implicated in this kidnapping case. He has also submitted that the impugned order shows that the victim didn't support the prosecution case in her statement recorded under Section 164 of the Cr.P.C. The petitioner is under custody since 06.06.2022.

Considering the above-mentioned facts and circumstances, let the petitioner above-named be released on bail on furnishing bail bonds of Rs.10,000/- (ten thousand rupees) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Sitamarhi in connection with Punaura P.S. Case No. 92 of 2022, subject to the following conditions:-

- (i) The petitioner shall cooperate in the disposal of trial and make himself available as and when required by the court.
- (ii) If the petitioner is found involved in future in the similar type of offence, the prosecution will have liberty to file an application before the court below for cancellation of the bail of the petitioner and the learned court below will take decision in accordance with law.

(Nawneet Kumar Pandey, J)

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