

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20616 of 2023

Arising Out of PS. Case No.-176 Year-2022 Thana- SIWAIPATTI District- Muzaffarpur

BINOD SAHNI S/O NAGA SAHNI RESIDENT OF VILLAGE- HARSER,
P.S- SIWAIPATTI, DISTT.- MUZAFFARPUR.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manoj Kumar

For the Opposite Party/s : Mr.Md. Matloob Rab

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 24-06-2023 Heard the parties.

The petitioner apprehends his arrest in connection with Siwaipatti PS Case No. 176 of 2022 dated 13.09.2022 registered under Section 341, 323, 376, 379, 420, 504, 506 / 34 of the IPC.

As per the FIR, the co-accused / Dippu Kumar, who happens to be the son of the petitioner established physical relationship with the informant on the pretext of marrying her. The crux of the allegation against the petitioner is that when the informant went to make complain before the petitioner, he demanded a sum of Rs. 50,000/- and told the informant he would perform marriage of his son along with her.

Learned counsel for the petitioner submits that allegation of establishing physical relationship is against the son



of the petitioner and the petitioner and his entire family has been dragged in this case as a counter blast of a complain case filed by the wife of the petitioner bearing Complaint Case No. 3462 of 2022 (Annexure- 2). He next submits that the other co-accused i.e. wife and another son of the petitioner have been released on anticipatory bail by a Co-ordinate Bench of this Court in Cr. Misc. No. 19267 of 2023.

On the other hand, learned counsel for the informant vehemently opposed the prayer for bail and submits that petitioner being father has demanded a sum of Rs. 50,000/-and assured the informant that he would persuade his son for marriage with the informant but did not take any step in this regard.

Regard being had to the submission made by the parties, taking into consideration the material available on record, the fact that allegation of establishing physical relationship with the informant is upon the co-accused / Dippu Kumar, who happens to be the son of the petitioner and other co-accused persons have been granted anticipatory bail, I am inclined to grant anticipatory bail to the petitioner.

Let the petitioner, above named, be released on anticipatory bail in the event of arrest or surrender before the



court below within a period of four weeks from today on
furnishing bail bond of Rs. 10000/- (rupees ten thousand) with
two sureties of the like amount each to the satisfaction of Sub
Divisional Judicial Magistrate, East, Muzaffarpur in connection
with Siwaipatti PS Case No. 176 of 2022 subject to the
condition as laid down under Section 438 (2) of the Cr.P.C.

(Anil Kumar Sinha, J)

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