

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28189 of 2023

Arising Out of PS. Case No.-277 Year-2022 Thana- GORAUL District- Vaishali

=====

Anil Sahni Son of Devendra Sahni, R/o Village- Bijhrauli, P.S.- Tisiauta,
District- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Shrinandan Prasad Singh, Sr. Advocate

Mr. Kumar Sameer, Advocate

For the Opposite Party/s : Mr. Kumar Ranjit Ranjan, APP

=====

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 24-07-2023 Heard Mr. Shrinandan Prasad Singh, learned senior
counsel for the petitioner and learned Additional Public
Prosecutor for the State.

2. Petitioner seeks bail, who is in custody since
03.11.2022 in connection with Goraul P.S. Case No. 277 of
2022, F.I.R. dated 10.07.2022 for the offences punishable under
Sections 363, 366(A)/34 of the Indian Penal Code.

3. According to prosecution case, as per F.I.R. the
informant Sanju Devi stated inter-alia that on 06.07.2022 she
along with her daughter Kunkun Kumari had gone to her Maika
at the house of Jay Mangal Sahni, next on 09.07.2022 at 8
O'clock night Kunkun Kumari aged about 16 years was brought
to Katarmala Chowk (Godiya) by Lalita Devi wife of Anil Sahni
under the pretext to buy Chappal, on asking at 8:30 hours Lalita
Devi told that her husband Anil Sahni, Dewar Rohit Kumar's



and his uncle Surendra Sahni, Nanad all took Kunkun Kumari on four wheeler to village Banthu and told that she would come back within half hours but till 9 P.M. Kunkun Kumari did not return thereafter, the informant along with Lalita Devi and brother Shambhu Sahni, Dilip Sahni went to Banthu village on four wheeler and came to know that Anil Sahni, Rohit Kumar Devendra Sahni went to Bengal with her daughter Kunkun Kumari it is known that Pradip had talks on mobile number earlier, as such Anil Sahni, Rohit Kumar, Lalita Devi, Devendra Sahni, Pradip Sahni wife of Pradip Sahni, Surendra Sahni under a conspiracy kidnapped Kunkun Kumari for illegal purpose and murder may be caused.

4. Learned counsel for the petitioner submits that petitioner has clean antecedent and he has falsely been implicated in the present case. He further submits that the allegation as alleged in the F.I.R. is false and fabricated and petitioner has not committed any offence as alleged in the F.I.R.. He further submits that merely on the basis of suspicion the petitioner has implicated in the present case and the petitioner was not arrested along with the victim and the statement of the victim was recorded under Section 164 of Cr.P.C. in which she has not stated anything about the petitioner and it appears from



statement of the victim recorded under Section 164 of Cr.P.C. that the victim was recovered from the place of occurrence but in the case diary it has show that the victim was recovered from the Ramashish Chowk, Hajipur. He further submits that the police after investigation submitted the charge sheet against the petitioner and the petitioner is in judicial custody since 03.11.2022.

5. The learned Additional Public Prosecutor for the State has vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid facts and circumstances, 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 the learned Chief Judicial Magistrate, Vaishali at Hajipur in connection with Goraul P.S. Case No. 277 of 2022, subject to 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 absence on two consecutive dates without sufficient reason, his 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.

3. 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)

mdrashid/-

U		T	
---	--	---	--

