

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32769 of 2023

Arising Out of PS. Case No.-374 Year-2022 Thana- BISFI (PATAUNA) District- Madhubani

PAWAN SAHNI Son of Sri Mahendra Sahni Resident of Village-Parsauni
Uttri, P.S.-Bisri, District-Madhubani

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shailendra Kumar Jha, Advocate

For the Opposite Party/s : Mr. Raj Kishor Singh, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 31-07-2023 1. Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. The petitioner apprehends his arrest in a case
registered for the offences punishable under Sections 376 and
511 of the Indian Penal Code.

3. Learned counsel for the petitioner submits that the
petitioner has antecedent of three cases.

4. The informant alleges that while she was sleeping
in the night, the petitioner came and attempted to commit rape
and touched her inappropriately and on alarm fled with some
jewellery and Rs. 30,000/-

5. Learned counsel for the petitioner submits that the
petitioner has been falsely implicated in the present case, it is
next submitted that petitioner and the informant are co-villagers



and were known to each other and with consent of the informant had gone to the house in the night and when the petitioner came, she was ready with jewellery and cash to flee with him, but the petitioner was not ready and in the meantime, the family members woke up and the petitioner fled with the jewellery and some cash which she had given to him without realizing that an offence has been committed, it is next submitted that it absolutely does not stand to reason that a person who would come to commit rape, while fleeing will commit theft of ornaments and cash also, which amply demonstrates the falsity of the allegation as alleged, it is next submitted that that it is not a case of rape, but it is alleged that an attempt was made to commit rape.

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

7. Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case



is pending/successor court in connection with Bisfi (Patauna)
P.S. Case No. 374 of 2022 subject to the conditions as laid down
under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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