

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.3310 of 2021

Arising Out of PS. Case No.-809 Year-2019 Thana- RAMKRISHNANAGAR District- Patna

=====

PRADEEP SAHNI @ AMIT SAHNI @ GORAKH S/o- Vijay Sahani R/O-
Gosaighat Lane, Alamganj, Bangalitola, P.S. - Alamganj, District - Patna.

... .. Appellant/s

Versus

THE STATE OF BIHAR

... .. Respondent/s

=====

Appearance :

For the Appellant/s : Mr.Harish Kumar

For the Respondent/s : Mr.Usha Kumari 1

=====

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

4 14-12-2023 Though notice has been issued to O.P. No. 2, no one
has turned to assist the Court.

Heard learned counsel for the appellant and learned
Special Public Prosecutor for the State.

The instant appeal has been filed by the appellant
against the order dated 10.06.2020 passed by learned Additional
Sessions Judge 1st, Patna in Spl. Case No. 234 of 2019 whereby
the prayer for bail of the appellant in connection with Ram
Krishna Nagar P.S. Case no. 809 of 2019 under Sections 372,
376/34 of the Indian Penal Code and sections 4, 10 and 16 of the
POSCO Act and Sections 3(i)(v), 3(2)(v) of the SC/ST Act was
rejected.

Earlier appellant had moved for grant of regular bail
but the same was rejected by another co-ordinate Bench of this



court vide order dated 12.01.2021 passed in Cr. Appeal (SJ) No. 1865 of 2020.

As per allegation in the FIR, due to cruel behavior of mother of the informant, she along with her friend had fled away from their respective houses and reached to the house of Pooja Kumari, with whom both were well acquainted. Pooja Kumari assured her for providing job in Mall. But they came to know that Pooja Kumari and her husband (appellant) run a brothel and they forced the victims for flesh trade. They were physically abused several times at brothel. It is further alleged that appellant with his wife Pooja Kumari brought one of the victim girl to bus stand for selling her in two lacs rupees but having got this knowledge, both victims fled away and informed the police.

It is submitted by learned counsel for the appellant that appellant has been falsely implicated in this case. Specific allegation is against Pooja Kumari and not against the appellant. Appellant is husband of main accused Pooja Kumari. Statement of both the victim girls were recorded u/s 164 Cr.P.C. in which they have not made allegation of sexual assault or physical assault against the appellant. No offence is made out under the provisions of the SC/ST Act against them. He has got no



criminal antecedent and languishing in judicial custody since 26.4.2020.

The appeal for bail is opposed by learned Spl. P.P. for the State.

Having heard learned counsel for the parties and taking into consideration that there is general and omnibus allegation against the appellant, the Court is inclined to allow this appeal. Accordingly, the appeal is allowed and the impugned order dated 10.06.2020 is hereby set aside.

The appellant is directed to be enlarged on bail in connection with Ram Krishna Nagar PS Case No. 809 of 2019 on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge-1, Patna.

(Sunil Kumar Panwar, J)

sushma/-

U			
---	--	--	--

