

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52071 of 2023

Arising Out of PS. Case No.-213 Year-2023 Thana- TAJPUR District- Samastipur

VINAY SAHNI SON OF BHOLA SAHNI RESIDENT OF VILL
CHAKLEWAINI WARD NO 6 PS WAINI OP TAJPR, DIST- SAMASTIPUR
... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ranjit Kumar Yadav
For the Opposite Party/s : Mr. Choubey Jawahar

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 11-12-2023 Heard the parties.

2. The petitioner apprehend his arrest in a case registered for the offence punishable under Sections 341, 323, 325, 379, 354B, 504 and 506/34 of the Indian Penal Code and 8 of POCSO Act.

3. Allegedly, the petitioner is said to have entered in the house of the informant and outraged the modesty of the minor daughter of the informant.

4. It is submitted by learned counsel for the petitioner that petitioner is quite innocent and have committed no offence. He has been falsely implicated in this case. No such occurrence, in the manner as alleged, has ever taken place. He submits that the father of the petitioner had earlier filed a case against the informant for the purpose of vacating the encroachment in front of his house and the concerned authorities help the petitioner's



side to vacate the encroached land. He submits that none of the independent witnesses have supported the prosecution case. He further submits that the petitioner has enjoyed the benefit of Section 41A of the Cr.PC. Petitioner has no criminal antecedent.

5. Learned APP for the State opposed the prayer for anticipatory bail.

6. Having regard to the facts and circumstances of the case as well as considering that none of the independent witnesses have supported the prosecution case, let the above named petitioner, be released on bail, in the event of his/her arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/Successor Court in connection with Tajpur P.S. Case No.213 of 2023, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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