

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49260 of 2022

Arising Out of PS. Case No.-149 Year-2021 Thana- HATHAURI District- Muzaffarpur

1. MADAN SAHNI S/o Asharfi Sahni R/o village- Thikahi, P.S.- Hathauri, District- Muzaffarpur
2. Ravi Sahni S/o Madan Sahni R/o village- Thikahi, P.S.- Hathauri, District- Muzaffarpur. Petitioner/s

Versus

The State of Bihar Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Alok Kumar Alok

For the Opposite Party/s : Mr. Shailendra Kumar

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

2 12-01-2023 Learned counsel for the petitioners is directed to remove all the defects pointed out by the Stamp Reporter within one month.

At the outset, the learned counsel for the petitioners has submitted that during the pendency of this anticipatory bail petition, petitioner no. 2 has been arrested and, as such, it has become infructuous with respect to him. He, therefore, seeks permission to withdraw this petition with respect to him.

In view of the aforesaid submission, **this petition is dismissed as withdrawn with respect to petitioner no. 2.**

So far as petitioner no. 1 is concerned, he apprehends his arrest in connection with Hathauri P.S. Case No. 149 of 2021, registered for the offences punishable under Sections 341, 323, 307 and 504/34 of the Indian Penal Code and Section 8 POCSO



Act.

The learned counsel for the petitioners has submitted that the specific allegation against of POCSO Act as well as on inflicting assault on the minor daughter of the informant is on co-accused Ravi Sahni, the son of the petitioner no. 1, who is under custody. The petitioner is the father of Ravi Sahni petitioner no. 2 and there is allegation that he assaulted with iron rod on the head of the informant and he sustained simple injuries. The petitioner is a person of clean antecedent.

Considering the above-mentioned facts and circumstances, **let petitioner no. 1** in the event of his arrest or surrender within four weeks before the learned court below, **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 learned Special Judge POCSO Act, Muzaffarpur in connection with Hathauri P.S. Case No. 149 of 2021, subject to the conditions as laid down under Section 438(2) Cr.P.C.

Office shall ensure that all defects are removed by the petitioners within the stipulated time provided hereinabove, failing which the matter shall be brought to the notice of this Court.

(Nawneet Kumar Pandey, J)

Nirmal/Kundan

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